

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND SPECIAL EXCEPTION - S/S New Cut
Road, 2,000' W of Belair Road * DEPUTY ZONING COMMISSIONER
(7403 New Cut Road)
11th Election District * OF BALTIMORE COUNTY
6th Councilmanic District * Case No. 96-115-SPHX

Kenneth J. Wells
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Special Exception for that property known as 7403 New Cut Road, located west off of Belair Road in the vicinity of the Gunpowder Falls State Park in Kingsville. The Petitions were filed by the owner of the property, Kenneth J. Wells, through his attorney, Anthony J. DiPaula, Esquire. Pursuant to the Petition for Special Hearing, the Petitioner seeks a determination that a Land Planner-Surveyor's office is within the scope of the requirements set forth in Section 1A04.2.B.10.a of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioner requests a special exception to permit a professional office as an accessory use in a residence located in an R.C. 5 zone, pursuant to Section 1A04.2.B.10.a of the B.C.Z.R. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Kenneth Wells, legal owner of the property, and his attorney, Anthony J. DiPaula, Esquire. Appearing as Protestants in the matter were numerous residents of the surrounding community, for whom Charlene Quesenberry and Nancy Hastings testified and participated at the trial table.

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Date

By

Testimony and evidence offered on behalf of the Petitions revealed that the subject property consists of 2.8253 acres, zoned R.C. 5, and is improved with a three-story single family dwelling with attached garage and accessory parking area. The Petitioner is a Registered Property Line Surveyor and is desirous of establishing an office within the basement of his home for his business. Mr. Wells testified that his business presently consists of himself and one employee, but that in the future, he foresees having three other non-resident employees besides himself involved in the business. He testified that the area proposed to be utilized for office space will be less than the permitted 25% maximum of the total square footage of the dwelling. Mr. Wells described the proposed improvements which are more particularly described on the site plan of the property identified as Petitioner's Exhibit 1.

It should be noted that the subject property is part of a 7-lot subdivision known as Willow Hill Manor which was developed by Mr. Wells in 1987. Mr. Wells retained the subject property for his personal residence and sold the other lots in this subdivision to individuals who, for the most part, appeared as Protestants at this hearing. Mr. Well's lot is located to the rear of the overall tract and is serviced by a long panhandle driveway, some 882 feet in length, which extends through the Willow Hill Manor subdivision and intersects New Cut Road.

As stated above, several residents of the Willow Hill Manor subdivision who purchased lots from Mr. Wells appeared at the hearing in strong opposition to his request to operate his business from his home. All of the Protestants testified that they were not informed prior to the purchase of their lots that Mr. Wells intended to operate a business from his home. This subdivision was newly approved and all of the houses that exist were

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Date

By

recently constructed. Mr. Wells' house was just completed within the last year. All of the residents who testified in opposition fear the additional traffic which may result from Mr. Wells' proposed office. Furthermore, the Protestants testified that they were under the impression that Willow Hill Manor was a private residential community when they purchased their lots, and they do not want any one to operate a business within their home. Photographs of the houses which currently exist in this subdivision were entered into evidence by the Protestants. The photographs revealed that these are substantial homes which are very attractive and up-scale. These residents do not want a business tainting the residential character of their community, nor affecting the property values they currently enjoy. Many other ancillary issues were raised at the hearing by virtue of the testimony presented by both Mr. Wells and the Protestants. Those issues, such as snow removal, landscaping, and another resident who repairs automobiles at his home are not relevant to the issue before me.

Turning to the issues before me, specifically the special hearing request for a determination that a Registered Land Surveyor, duly licensed in the State of Maryland, is considered to be a "professional" under the scope of Section 1A04.2.B.10.2, I hereby find that Mr. Wells, given his qualifications and licensing, does qualify as a professional under the scope of that particular section. Therefore, the relief requested in the Petition for Special Hearing should be granted. However, the real issue presented is whether the special exception which would permit Mr. Wells to operate his professional office from his residence should be approved.

It is clear that the B.C.Z.R. permits the use proposed in an R.C.5 zone by special exception. However, it is equally clear that the proposed use would be detrimental to the primary uses in the vicinity. Therefore,

it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. and would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have an adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts. 432 A.2d 1319 (1981).

After considering all of the testimony and evidence offered at the hearing, I am not persuaded that Mr. Wells satisfies the conditions established within Section 502 of the B.C.Z.R. for a granting of the special exception request. Given the fact that this particular parcel of land, zoned R.C. 5, is a panhandle lot serviced by a panhandle driveway some 882 feet long, and is the last lot in this subdivision, the use proposed would, in fact, generate more adverse effects at this particular location than it would if this use were located on any other parcel zoned R.C. 5 within Baltimore County. Therefore, the special exception must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the special hearing should be granted and the special exception request denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24th day of November, 1995 that a Land Planner-Sur-

ORDER RECEIVED FOR FILING

Date

By

veyor's office is within the scope of the requirements for a "professional" as set forth in Section 1A04.2.B.10.a of the Baltimore County Zoning Regulations (B.C.Z.R.), and as such, the Petition for Special Hearing is hereby GRANTED; and,

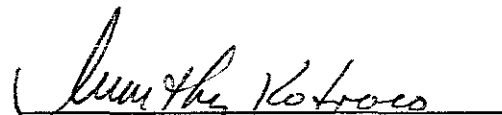
IT IS FURTHER ORDERED that the Petition for Special Exception to permit a professional office as an accessory use in a residence located in an R.C. 5 zone, pursuant to Section 1A04.2.B.10.a of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that this decision shall not affect the ability of Mr. Wells to conduct a "home occupation" within his residence. Section 101 of the B.C.Z.R. defines a "home occupation" as:

"Any use conducted entirely within a dwelling which is incidental to the main use of the building for dwelling purposes and does not have any exterior evidence other than a permitted sign to indicate that the building is being utilized for any purpose other than that of a dwelling and in connection with no commodity is kept for sale on the premises not more than one person is employed on the premises, other than domestic servants or members of the immediate family, and no mechanical equipment is used except such as may be used for domestic purposes."

Therefore, Mr. Wells must comply with and adhere to the above restrictions as are applicable to a home occupation use.

IT IS FURTHER ORDERED that any appeal of this decision must be filed within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

FMK:bjs

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

November 24, 1995

(410) 887-4386

Anthony J. DiPaula, Esquire
Covahey & Boozer
614 Bosley Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION
S/S New Cut Road, 2,000' W of Belair Road
(7403 New Cut Road)
11th Election District - 6th Councilmanic District
Kenneth J. Wells - Petitioner
Case No. 96-115-SPHX

Dear Mr. DiPaula:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted and the Petition for Special Exception denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Kenneth J. Wells, 7403 New Cut Road, Kingsville, Md. 21087

Mr. & Mrs. Stephen J. Goetz, 7405 New Cut Road, Kingsville, Md. 21087

Mr. & Mrs. Brian Quesenberry, 7407 New Cut Road, Kingsville, Md. 21087

Ms. Nancy Hastings, 7714 Buck Hill Road, Kingsville, Md. 21087

People's Counsel; File



A SPECIAL HEARING AND
Petition for Special Exception

to the Zoning Commissioner of Baltimore County

96-115-SPHX

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the

herein described property for ⁽²⁾ a professional office as an accessory use in a
residence located in a R.C.-5 zone, pursuant to Baltimore County Zoning

Regulation 1A04.2.B.10a.

*① SPHX = for a determination that a land
Planner - Surveyor's office is within the scope of S. 1A04.2.B.10.2.*

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm,
under the penalties of perjury, that I/we
are the legal owner(s) of the property
which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City and State

Legal Owner(s):

Kenneth J. Wells

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Attorney for Petitioner:

Anthony J. DiPaula

(Type or Print Name)

Signature

614 Bosley Avenue

Address

Towson, MD 21204

City and State

Attorney's Telephone No.: **828-9441**

7403 New Cut Road

Address

817-4340

Phone No.

Kingsville, MD 21087

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Kenneth J. Wells

Name

7403 New Cut Road, Kingsville, MD 817-4340

Address

Phone No.

ORDER RECEIVED FOR FILING

Date

By



OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

-1 1/2 HR. *1 1/2 HRS*

AVAILABLE FOR HEARING

MON./TUES./WED. - NEXT TWO MONTHS

ALL ☒ OTHER

REVIEWED BY: *JRA/ld*

DATE *9-8-95*

KENNETH J. WELLS, INC.
Land Planners and Surveyors

Telephone: (410) 592-8800
Telecopier: (410) 817-4329

96-115-SPHX

7403 New Cut Road
Kingsville, Md. 21087-1132


August 10, 1995

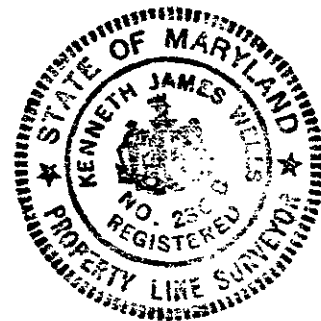
**ZONING DESCRIPTION
TO ACCOMPANY A PETITION
FOR A SPECIAL EXCEPTION**

#111

7403 New Cut Road
Kingsville, Maryland

Being Lot Number 4 in the subdivision of Willow Hill recorded in the Land Records of Baltimore County in Plat Book Number 59 Folio 55 containing 2.8253 acres of land. Also known as 7403 New Cut Road and located in the eleventh Election District.


Kenneth J. Wells Reg. No. 236



Seal

APPROVED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #98-115-SPI-X

(Item 111)

7403 New Cut Road
S/S New Cut Road, 2000'
W of Beair Road
11th Election District
6th Councilmanic
Legal Owner(s):
Kenneth J. Wells
Hearing: Monday, October 30,
1995 at 9:00 a.m. in Rm. 118,
Old Courthouse.

Special Hearing for a determination that a land planner-surveyor's office is within the scope of Section 1A04.2.B. 102. Special Exception for a professional office as an accessory use in a residential located in a R.C.-5 zone.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.
(2) For information concerning the file and/or Hearing, Please Call 887-3391.

10045 October 5.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

10/13, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/5, 1995.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 111

Petitioner: _____

Location: _____

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Kenneth J. Wells

ADDRESS: 7403 New Cut Road

Kingsville, MD. 21087

PHONE NUMBER: 817-4340

TIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

Item No. 111

96-115 004069

DATE 9-8-95

ACCOUNT

R-001-6150

AMOUNT \$

585.00

Site: 7403 NEW CUT RD

RECEIVED

FROM:

KEN WELLS - owner

* { #040 - Special Hearing filing fee \$250.00
#050 - Special Exception " " 300.00
#080 - Sign & posting 35.00

FOR:

Total \$585.00

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

TO: PUTUXENT PUBLISHING COMPANY
October 5, 1995 Issue - Jeffersonian

Please forward billing to:

Kenneth J. Wells
7403 New Cut Road
Kingsville, MD 21087
817-4340

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-115-SPHX (Item 111)
7403 New Cut Road
S/S New Cut Road, 2000' W of Belair Road
11th Election District - 6th Councilmanic
Legal Owner: Kenneth J. Wells
HEARING: MONDAY, OCTOBER 30, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Hearing for a determination that a land planner-surveyor's office is within the scope of Section 1A04.2.B.102.

Special Exception for a professional office as an accessory use in a residence located in a R.C.-5 zone.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management .

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 25, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified hereinin Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-115-SPHX (Item 111)

7403 New Cut Road

S/S New Cut Road, 2000' W of Belair Road

11th Election District - 6th Councilmanic

Legal Owner: Kenneth J. Wells

HEARING: MONDAY, OCTOBER 30, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Hearing for a determination that a land planner-surveyor's office is within the scope of Section 1A04.2.B.102.

Special Exception for a professional office as an accessory use in a residence located in a R.C.-5 zone.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Kenneth J. Wells
Anthony J. DiPaula, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 12, 1995

NOTICE OF REASSIGNMENT

Rescheduled from 10/30/95
CASE NUMBER: 96-115-SPHX (Item 111)
7403 New Cut Road
S/S New Cut Road, 2000' W of Belair Road
11th Election District - 6th Councilmanic
Legal Owner: Kenneth J. Wells

Special Hearing for a determination that a land planner-surveyor's office is within the scope of Section 1A04.2.B.102. Special Exception for a professional office as an accessory use in a residence located in a R.C.-5 zone.

HEARING: MONDAY, NOVEMBER 6, 1995 at 2:00 p.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson MD.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

cc: Kenneth J. Wells
Anthony J. DiPaula, Esq.

10/12/95



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 23, 1995

Anthony J. DiPaula
Covahey & Boozer, P.A.
614 Bosley Avenue
Towson, Maryland 21204

RE: Item No.: 111
Case No.: 96-115-SPHX
Petitioner: K. J. Wells

Dear Mr. DiPaula:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 8, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Sept. 25, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief *RWB/DAK*
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for September 25, 1995
Item No. 111

The Development Plans Review Division has reviewed the subject zoning item. If this request is granted, buffering should be provided for Lot 3.

RWB:sw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: September 19, 1995

FROM: Pat Keller, Director, OP

SUBJECT: 7043 New Cut Road

INFORMATION:

Item Number: 111

Petitioner: Kenneth J. Wells

Property Size: _____

Zoning: RC-2

Requested Action: Special Exception

Hearing Date: ____/____/____

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided, staff acknowledges that Mr. Wells is a professional and is licensed by the State of Maryland. In addition, there is nothing unique about the subject site to indicate that the special exception use would be inappropriate at this particular location. Therefore, this office recommends that the applicant's request be granted subject to a condition being placed in the Order prohibiting the erection of any signs calling attention to the business.

Prepared by: Jeffrey W. Long

Division Chief: Cary L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 9/25/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 9/18/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 102

104

107

108

109

110

111

112

113

114

115

116

LS:sp

LETTY2/DEPRM/TXTSBP

10/25/95

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 09/19/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: KENNETH J. WELLS

LOCATION: S/S NEW CUT RD., 2000' W OF BELAIR RD. (7403 NEW CUT RD.)

Item No.: 111

Zoning Agenda: SPECIAL HEARING/SPECIAL EXCEPTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

RE

SEP 21 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F



cc: File

Printed on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

9-15-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 111 (JJS/JR)


Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3353
Fax: (410) 887-5708

December 20, 1995

Mr. Kenneth J. Wells
7403 New Cut Road
Kingsville, Maryland 21087-1132

RE: 96-115-SPHX
7403 New Cut Road
11th Election District

Dear Mr. Wells:

I am in receipt of your letter, dated December 15, 1995, in which you question the requirement of this office for you to file concurrent petitions for a special hearing and a special exception.

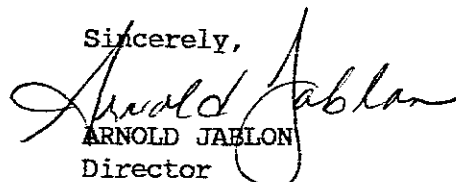
I have discussed the issue you raise with John Sullivan, and he has explained to me his rationale. He correctly followed procedure. I will not agree to return the filing fee, or any portion thereof.

The determination whether a surveyor fits the definition of professional is as important as the decision whether a special exception should be granted. One follows the other. No special exception can be granted unless the definition of "professional" is satisfied.

There is no conflict. We do accept plans prepared and sealed by a surveyor. We also accept expert testimony by realtors. While Deputy Zoning Commissioner Timothy Kotroco has determined that a surveyor is a "professional", and thereafter granted your request for special exception, realtors have been determined not to fit the definition. Realtors may very well be professional in every other way, but they are not for the purpose of our zoning regulations. While sealed surveyors plans are accepted, this in and of itself is not conclusive that surveyors satisfy the zoning definition of "professional".

It obviously does now, but Mr. Sullivan advised you properly.

Sincerely,


ARNOLD JABLON
Director

AJ:ljb

12/19/95 5932-95

KENNETH J. WELLS, INC.
Land Planners and Surveyors

Telephone: (410) 592-8800
Telecopier: (410) 817-4329

7403 New Cut Road
Kingsville, Md. 21087-1132

December 15, 1995

Mr. Arnold Jablon
Baltimore County
Zoning Administration and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

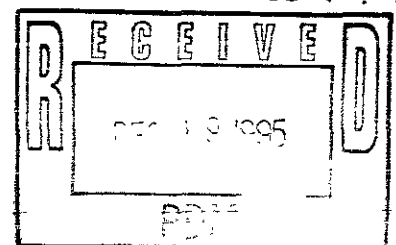
Re: 96-115-SPHX
7403 New Cut Road

Dear Mr. Jablon:

I was informed by Mr. John Sullivan during my initial meeting for the filing of a special exception to operate my surveying practice from within my residence, that I would also need a special hearing to determine if a land surveyor would fall under the professional status as defined in Section 1A04.2.B.10a of the Baltimore County Zoning Regulations (BCZR). I debated the point, but was told that I may jeopardize the special exception if I did not include the request for a special hearing as well. I did so under protest.

Deputy Commissioner Kotroco also heard my protest at the onset of the hearing. Mr Kotroco did grant the relief requested in the Petition for Special Exception.

Again, I would like to take issue with what appears to me a conflict in terms within the BCZR relating to land surveyors. I am fully aware that land surveyors are not specifically mentioned in the aforementioned section in the BCZR, but under Rule 2.B.5 in Appendix "E" in the BCZR it does, however, state that the zoning plans required for hearings must be prepared by a surveyor. A surveyor who practices within the State of Maryland is required to be licensed which is regulated by the State Board of Registration for Professional Land Surveyors. If the County recognizes surveyors as professionals for the preparation of zoning plans, would it not be reasonable to surmise that where the criterion states "professional" throughout the BCZR that surveyors would fall under that category without having a special hearing to determine that status.



Page Two

Based on the above, I would appreciate if the fee of \$ 250.00 submitted for the Special Hearing be returned.

Thank you in advance for your attention in this matter. Should you have any questions or comments, please feel free to call me.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "Kenneth J. Wells". The signature is written in dark ink and is positioned above the printed name.

Kenneth J. Wells

COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204
AREA CODE 410
828-9441

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER *
MARK S. DEVAN
ANTHONY J. DiPAULA *
THOMAS P. DORE
ROGER J. SULLIVAN

FAX 410-823-7530

ANNEX OFFICE
SUITE 101
606 BALTIMORE AVE
TOWSON, MD 21204

* ALSO ADMITTED TO D. C. BAR

September 29, 1995

HAND DELIVERY

Arnold Jablon, Director
Baltimore County Department of
Permits and Development Management
Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: CASE NO.: 96-115-SPHX (ITEM 111)
7403 NEW CUT ROAD
HEARING DATE: OCTOBER 30, 1995 AT 9:00 A.M.

Dear Mr. Jablon:

Please consider this a request for postponement of the above referenced case, the notice for which I just received. I have a specially set trial in the District Court for Baltimore County that morning in the case of Surguy v. Godfrey, Case No. 25676-94.

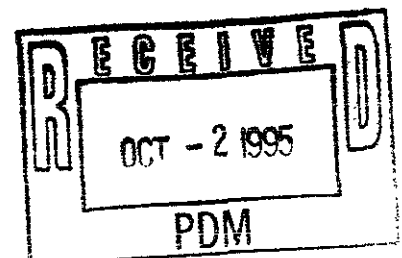
Thank you.

Very truly yours,


Anthony J. DiPaula

AJD/ds
9±ds.124

cc: Kenneth J. Wells



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Anthony J. DiBella, Jr.

614 Bailey Ave. - 21204

KENNETH WELLS

7405 NEW CUT RD.



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

STEPHEN J. GOETZ

7405 NEW CUT RD 21087

DONNA GOETZ

7405 New Cut Rd 21087

FRANCIS C. BARRETT

3215 PUTTY HILL AVE 21234

BRIAN L. QUESENBERRY

7407 New Cut Rd 21087

Charlene Quesenberry

7407 New Cut Rd. 21087

JOHN W. BAVERNSCHMIDT JR

7409 NEW CUT RD. 21087

Nancy Hastings

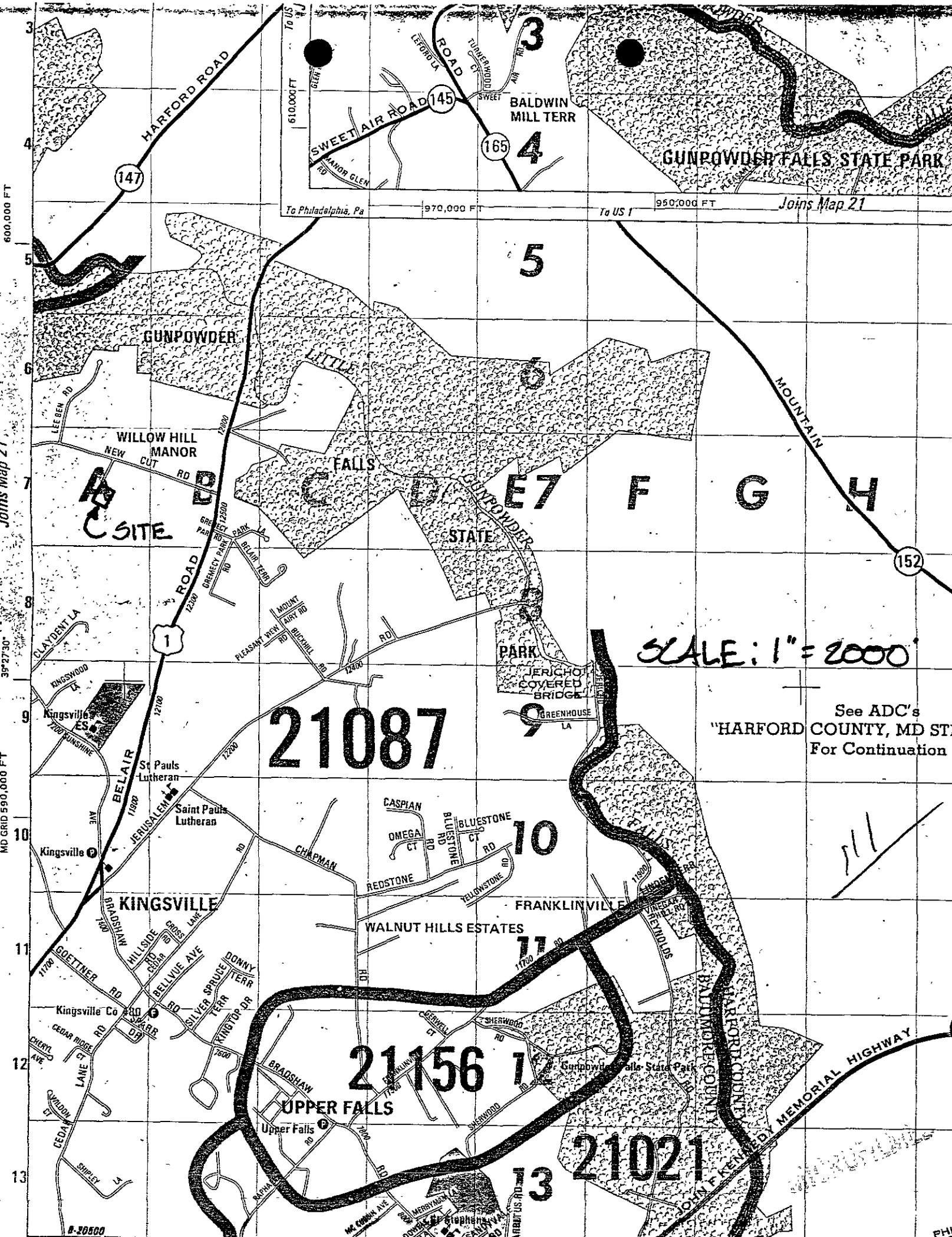
7714 BUCK HILL RD. 21087

BILL BUTTON

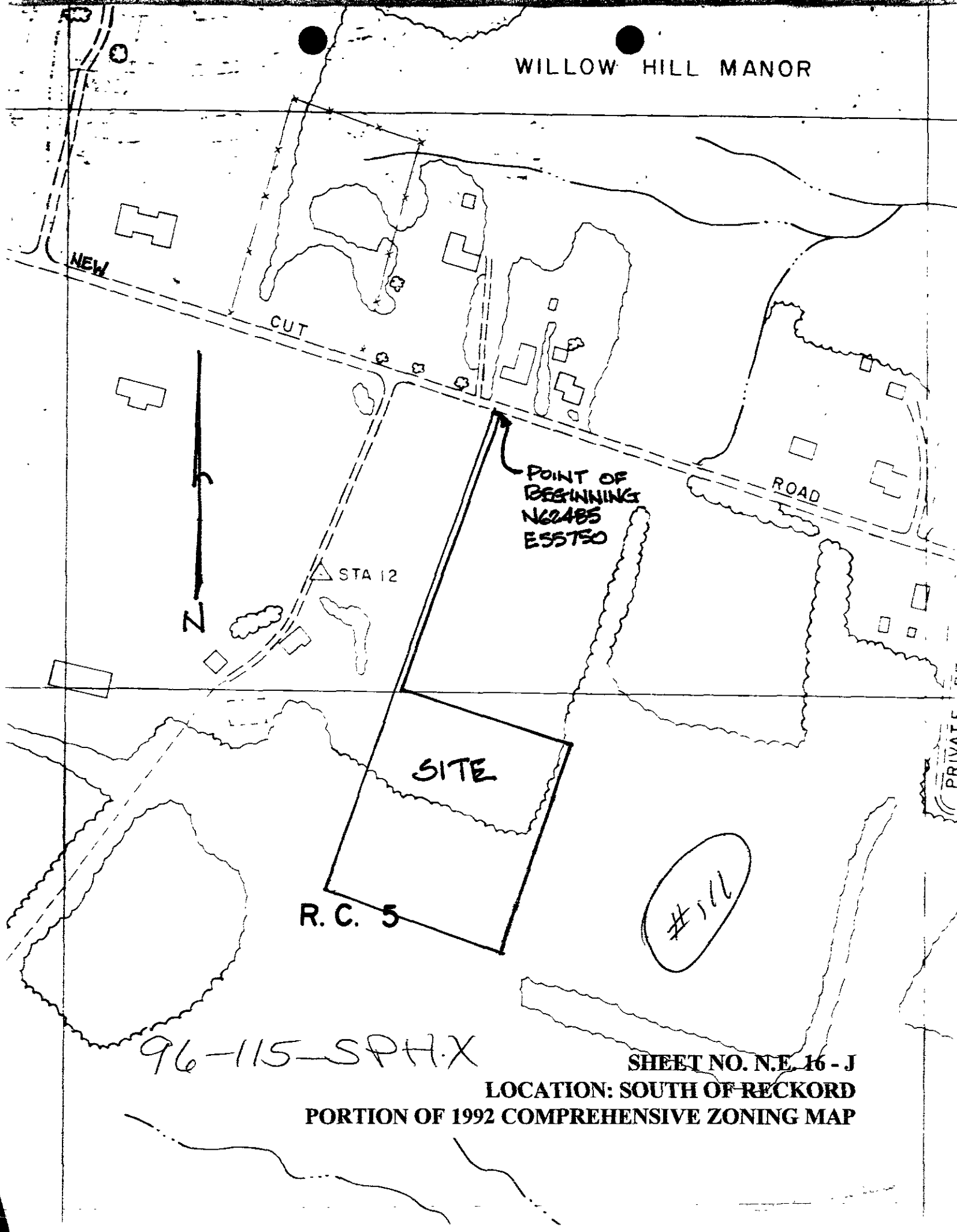
7419 GOETTNER RD 21087

MARY JO BUTTON

7419 GOETTNER RD 21087



WILLOW HILL MANOR



96-115-SPH.X

SHEET NO. N.E. 16 - J

LOCATION: SOUTH OF RECKORD

PORTION OF 1992 COMPREHENSIVE ZONING MAP

September 18, 1995
Kenneth J. Wells
7403 New Cut Road
Kingsville, Maryland 21087

RE: Home Offices

Residence of Hillstead Farms and Neighbors:

This letter is to notify you that I am currently going through Baltimore County to obtain a Special Exception to allow me to practice my profession from within my home. As a matter of zoning, the county requires anyone who wishes to operate certain businesses from within their home, or accessory structure, in an R.C. 5 zone to obtain approval from Baltimore County. The covenants and restrictions of this subdivision shall abide by Baltimore County's zoning standards.

According to Baltimore County Zoning Regulations, I am allowed, if granted, to use up to 25% of the total floor space as an office area with a staff of two nonresident employees and one nonresident professional. The nature of my profession will not increase traffic significantly. Nor will we produce noise, pollution, or odors and will we not handle contaminants other than for general household use. Business hours will be conducted between 7:30 a.m. and 5:30 p.m., Monday through Friday with an occasional Saturday. The Special Exception will expire either at my retirement or upon the sale of the house.

A notice of a hearing shall be posted as to its purpose, time and location. The hearing is to allow community input before granting or denying approval. A copy of the request for a Special Exception can be obtained either at the Zoning Office or from me.

Thank you

Kenneth J. Wells

PETITIONER'S
EXHIBIT 3

KENNETH J. WELLS, INC.
Land Planners and Surveyors

Telephone: (410) 592-8800
Telecopier: (410) 817-4329

7403 New Cut Road
Kingsville, Md. 21087-1132

September 18, 1995

The Greater Kingsville Community Association
P.O. Box 221
Kingsville, Maryland 21087

RE: Special Hearing and Exception

Dear Officers and Members:

In July of this year my wife Carolyn and I moved into our newly constructed home at 7403 New Cut Road and have recently become members of the Association and expect to participate in it's meetings and functions.

While I was preparing the architectural drawings for the construction of our house, I included in the design an area to be utilized as my office. I am currently operating from my house as a home occupation as defined by Baltimore County Zoning. Since home occupation only allows for one nonresident employee, I have applied for a Special Hearing and Special Exception to allow me to operate from my house as a professional office which would give me the flexibility to expand to two nonresident employees and one associate. Please find enclosed a copy of a plan along with a letter sent to nearby residents addressing my intent, impact and hours of operation.

I feel that the use of a professional office would have a minimum impact on the community and hope that the association would not contest my request.

Thank you in advance for your consideration and should there be any questions or comments, please feel free to call me.

Very truly yours,

Kenneth J. Wells

2 enclosures

cc: T. DiPaula (Covahey and Boozer)
File 7403kca.let

PETITIONER'S
EXHIBIT 4

9/20/95

The Greater Kingsville Civic Association, Inc.

P. O. Box 221 KINGSVILLE, MARYLAND 21087

November 1, 1995

To: The Baltimore County Zoning Commissioner

Re: Request by Ken Wells for allowance for expansion of in-home business to exceed permitted scope

Board members in attendance at the October meeting of the Greater Kingsville Civic Association voted to oppose efforts to expand the business in the manner proposed.

The Board has the following concerns:

1. ***New Cut Road is strictly residential.*** Area residents move into residential areas because they feel insulated from the traffic and general character of commercial development. Although the proposed alterations to the residence appear to be very subtle, the increased parking area and the presence of a sign at the entrance are things which are detrimental to the *character* and possibly the *value* of neighboring properties.
2. ***Families with young children are directly affected.*** Kingsville has a perceived reputation as a neighborhood of mostly older residents, but New Cut Road is home to a relatively large number of families with young children. These families are particularly concerned for the safety of their children, especially with potential increased traffic on New Cut Road during the daylight hours when children are more likely to be outdoors.
3. ***Dangerous precedent.*** Of great concern to many Board members is the precedent that such an expanded commercial operation would portend. The spread of overt commercial uses into residential areas will, we feel, certainly diminish the quality of our neighborhoods.

We sincerely appreciate Mr. Wells' efforts to seek this expansion using the proper channels, but have too many concerns to be able to support the request. We therefore respectfully ask the Commissioner to deny the request for expansion.

Thank you.

PROTESTANTS
AGAINST NO. 1

Nancy Hastings
Nancy Hastings
President

[Signature]

FILE# 89-348

PROTESTANTS EXHIBIT NO. 2

D RC/F 42.00
DECLAR 2 #
SM CLERK 42.00
#43819 C002 R02 T14:53
11/17/89

DECLARATION OF COVENANTS, CONDITIONS RESTRICTIONS AND EASEMENTS

THIS DECLARATION dated the 29 day of June, 1989 by and between KENNETH J. WELLS, (hereinafter referred to as "Developer") and FABIO BELTRAN, (hereinafter referred to as the "Mortgagee").

RECITALS

A. The Developer owns all those lots of ground situated in Baltimore County and shown on a subdivision plat entitled Willow Hill, which said plat is recorded among the Land Records of Baltimore County, Maryland in Plat Book SM59, folio 55.

B. Whereas the Developer desires to subject the property and the lots located therein (hereinafter the "lots"), to the covenants, conditions, restrictions and easements set forth below which are for the purpose protecting the value and desirability of the property and the lots.

C. Whereas a mortgage was entered into by and between the Mortgagee and the Developer on or about December 2, 1987 recorded on the Land Records of Baltimore County at Liber SM #7741, folio 352 and the Mortgagee joins herein for the purpose of subordinating the mortgage, to the legal operation and effect of this Declaration.

ARTICLE I

Covenants, Conditions and Restrictions

1. The lots and any buildings or structures now or hereinafter erected on a lot shall be occupied and used for single family residence purposes only, and no building shall be

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY, MARYLAND
Per Bonnie Zick
Notary Public
Date 11-2-89 Ccd. 11-25

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE

DATE 11-6-89

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

By

Date

121

erected, altered, placed or permitted to remain on any lot other than one detached single family dwelling house, which said dwelling house shall have a minimum of two thousand (2000) square feet of livable space.

2. No building, dwelling, fence, driveway, swimming pool, or structure of any kind (collectively called "structures") shall be commenced, erected or maintained on the property, nor shall any addition to or change or alteration therein be made, until the plans and specifications, showing the nature, kind, shape, height, materials, color, locations and approximate cost of the structure, addition or alteration shall have been submitted to and approved in writing by the Developer. The Developer shall consider applications for approval of plans, specifications, etc. upon the basis of conformity with this Declaration, and shall be guided by the extent to which the proposed structure, addition or alteration will ensure conformity and harmony in exterior design and appearance, based upon, among other things, the following factors: The quality of workmanship; nature and durability of materials; harmony of external design with existing structures; choices of colors; changes in topography; grade and elevations and/or drainage; factors of public health and safety; the effect of the proposed structure, addition or alteration on the use, enjoyment and value of the other neighboring properties, and/or the outlook or view from adjacent or neighboring properties; and the suitability of the proposed structure, addition or alteration taking into account the general aesthetic value of the surrounding area.

3. Each and every building and/or dwelling house shall be constructed with brick and/or stone facing on the front of the said building and/or dwelling.

4. That all garages shall be situated on the side of each dwelling house and that the garage door shall be situated or located on the side of each dwelling house and shall not front the common access driveway which is to be used by all the lots.

5. Each and every owner and/or purchaser of a lot shall be required to plant one (1) disingenuous tree upon that said lot.

6. Each and every lot shall be subject and comply with the best management practices as set forth by Baltimore County and which include:

a. All areas except that used for buildings, sidewalks and paved parking shall be planted with vegetate cover and/or landscaped as soon as possible after final grading and maintained in such condition.

b. Dirt and debris accumulating on private roads and parking lots shall be removed according to the following schedule: May through November, concurrent with grass mowing, November through April monthly.

c. Snow removal will be by mechanic means except in severe snow and ice conditions when deicing compounds may be used.

d. Application of fertilizers, herbicides and pesticides shall not exceed the recommendations of the University of Maryland Cooperative Extension Service.

e. Filling will not occur in grassed or lined drainage ditches or swales.

7. No nuisance shall be maintained, allowed or permitted on any part of the property, and no use thereof shall be made or permitted which may be a nuisance or detrimental to health.

8. That all construction shall be completed within one (1) year of the date of the approval of the plan by the Developer.

9. Each lot and the structures thereon shall be kept in good order and repair and free of debris; lawns shall be seeded and mowed, shrubbery trimmed, exterior surfaces painted, all in a manner and with such frequency as is consistent with good property management.

10. Covenants, conditions and restrictions numbered 1 through 8 above (the "covenants") shall run with and bind the property and shall be enforceable by the Developer and by the owners of all or any portion of the property until the fortieth (40th) anniversary of the date of this Declaration and thereafter for successive ten (10) year periods unless, prior to the expiration other than current term, a written instrument shall be executed by the then owners of sixty percent (60%) of the lots which are then subject to the covenants and recorded among the Land Records of the jurisdiction referred to above, stating that the covenants shall expire at the end of the then current year. All or any parts of the rights and powers, including discretionary powers and rights, reserved by or conferred upon the

Developer by this Declaration may be assigned or transferred by the Developer to any successor Developer of all or any part of the property, or to any community association or architectural review committee composed of the residents of the property. Any such assignment or transfer shall be evidenced by an appropriate instrument and recorded among the Land Records of Baltimore County, and upon recordation thereof the grantee or grantees of such rights and powers shall thereafter have the right to exercise and perform all the rights and powers reserved by or conferred upon the Developer by this Declaration.

11. Enforcement of the covenants shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain the violation or to recover damages.

ARTICLE II

Reserved Easements

1. An easement for ingress and egress is hereby reserved over and across all that real property shown and designated as the private ingress, egress, maintenance, and utility easement on a plat entitled Willow Hill which said plat is intended to be recorded among the land records of Baltimore County, which said easement benefits all those lots shown on the aforementioned plat.

2. That all that area described as below and bordering on the lots shall be maintained by the Developer and upon the sale of each lot Purchaser shall execute a deed containing

therein covenants requiring the Purchaser of the said lot maintain of all that area more fully described herein which borders the said lot.

Lot 1:

Beginning for the same at the northwest corner of Lot 1 as shown on a Plat of Willow Hill and recorded among the Land Records of Baltimore County in Plat Book S.M. 59 folio 55; thence binding on the west line of said Lot 1 South 18 degrees 16 minutes 25 seconds West 170.02 feet; thence North 72 degrees 36 minutes 36 seconds West 42.00 feet to the east side of a driveway used in common with others; thence binding on the east side of said driveway North 10 degrees 16 minutes 25 seconds East 170.02 feet; thence leaving said driveway South 72 degrees 36 minutes 22 seconds East 42.00 feet to the placing of beginning. Containing 0.1639 acres of land more or less.

Lot 2:

Beginning for the same at the southwest corner of Lot 2 as shown on a Plat of Willow Hill and recorded among the Land Records of Baltimore County in Plat Book S.M. 59 folio 55; thence North 72 degrees 36 minutes 51 seconds West 5.46 feet to the east side of a driveway used in common with others; thence binding on the east side of said driveway used in common with others; thence binding on the east side of said driveway and with an arc curving to the left having a radius of 300.71 feet and a length of 51.02 feet (being subtended by a chord bearing of North 4 degrees 42 minutes 44 seconds East 50.96 feet); thence continuing on the east side of said driveway with an arc curving to the right having a radius of 284.71 feet and a length of 91.54 feet (being subtended by a chord bearing of North 9 degrees 3 minutes 45 seconds East 91.15 feet); thence continuing on the east side of said driveway North 18 degrees 16 minutes 25 seconds East 30.10 feet; thence leaving said driveway South 72 degrees 36 minutes 36 seconds East 32.00 feet to the west side of said Lot 2; thence binding on said west side of Lot 2 South 18 degrees 16 minutes 25 seconds West 170.02 feet to the place of beginning. Containing 0.0906 acres of land more or less.

Lot 3:

Beginning for the same at the southwest corner of Lot 3 as shown on a Plat of Willow Hill and recorded among the Land Records of Baltimore County in Plat Book S.M. 59 folio 55; thence North 72 degrees 37 minutes 4 seconds West 10.00 feet; thence North 18 degrees 16 minutes 25 seconds East 124.76 feet; thence South 71 degrees 43 minutes 35 seconds East 2.00 feet to the west side of a driveway use in common with others; thence binding on the west side of said driveway South 18 degrees 16 minutes 25 seconds West 63.45 feet; thence continuing to bind on the west side of said driveway thence continuing to bind on the west side of said driveway thence continuing to bind on the west side of said driveway with an arc curving to the left and having a radius of 158.00 feet and a length of 50.49 feet (being subtended by a chord bearing of South 9 degrees 7 minutes 5 seconds West 50.28 feet); thence leaving the west side of said driveway South 18 feet); thence leaving the west side of said driveway South 18 degrees 16 minutes 25 seconds West 11.52 feet to the place of beginning. Containing 0.0109 acres of land more or less.

Lot 5:

Beginning for the same at the northeast corner of Lot 5 as shown on a Plat of Willow Hill and recorded among the Land Records of Baltimore County in Plat Book S.M. 59 folio 55; thence South 72 degrees 36 minutes 22 seconds East 2.00 feet to the west side of a driveway used in common with others; thence binding on the west side of said driveway South 18 degrees 16 minutes 25 seconds West 199.88 feet; thence leaving the west side of said driveway North 71 degrees 43 minutes 39 seconds West 2.00 to the east line of said Lot 5 North 18 degrees 16 minutes 25 seconds East 199.85 feet to the place of beginning. Containing 0.0092 acres of land more or less.

Lot 6:

Beginning for the same at the southeast corner of Lot 6 as shown on a Plat of Willow Hill and recorded among the Land Records of Baltimore County in Plat Book S.M. 59 folio 55; thence bining on each line of said Lot 6 North 18 degrees 16 minutes 25 seconds East 116.10 feet to intersect with the west side of a driveway used in common with others; thence binding on the west side of said driveway with an arc curving of 27.17 feet (being subtended by a chord bearing of South 2 degrees 26 minutes 23 seconds West 27.16 feet); thence continuing along the west side of said driveway with an arc curving

to the right and having a radius of 284.71 feet and a length of 91.54 feet (being subtended by a chord bearing of South 9 degrees 3 minutes 45 seconds West 91.15 feet); thence leaving the west side of said driveway North 71 degrees 43 minutes 35 seconds West 22.00 feet to the place of beginning. Containing 0.0376 acres of land more or less.

The easement area of each lot and all improvements on it shall be maintain continuously by the Owner except those improvements whose maintenance is the responsibility of a governmental body or agency or a public authority or utility company.

ARTICLE III

GENERAL PROVISIONS

1. The Developer shall have the right, by instrument duly recorded among the Land Records of Baltimore County, which need only be signed by the Developer and the holder of any mortgage or similar lien upon the Property then owned by the Developer to modify the provisions of this Declaration if the modification is required by the Veterans Administration of the Federal Housing Administration or any successor agencies thereto as a condition of the approval by such agency of the Property or any party thereof or any Lot thereon for federally approved mortgage financing purposes under applicable Veterans Administration, Federal Housing Administration or similar programs, and the consent to the modification by any Lot owner or of the holder of any mortgage or lien on such owner's Lot shall not be required even though the modification relates to portions of the Property no longer owned by the Developer.

2. The invalidity of any of the provisions of this Declaration shall not affect any of the other provisions, all of which shall remain in full force and effect.

3. Each conveyance of a Lot, or of any interest in the Lot, by the Developer, shall be deemed to be subject to this Declaration whether or not the deed conveying the Lot shall so state.

WITNESS the due execution of this Declaration of Covenants, Conditions, Restrictions and Easements by the Developer and the Mortgagee.

WITNESS:

Casely A Vendette

DEVELOPER:

Kenneth Wells
Kenneth Wells

MORTGAGEE:

Casely A Vendette

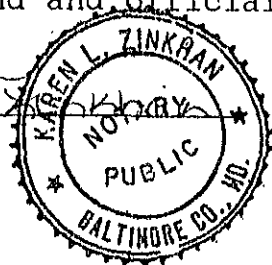
Fabio Beltran
Fabio Beltran

STATE OF MARYLAND)
COUNTY OF BALTIMORE) TO WIT:

On this 13th day of October, 1988, before me, Karen L. Zinkhan the undersigned officer, personally appeared **Kenneth Wells**, known to me (or satisfactorily proven) to be the person whose name he subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Karen L. Zinkhan
Notary Public



My Commission Expires:

7/1/90

STATE OF MARYLAND)
COUNTY OF ~~BALTIMORE~~ ^{Harford}) TO WIT:

On this 10th day of October, 1989, before me, Pamela A. Nordell, the undersigned officer, personally appeared **Fabio Beltran**, known to me (or satisfactorily proven) to be the person whose name he subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official

Pamela A. Nordell
Notary Public

My Commission Expires:

7-1-90

AFTER RECORDING, MAIL TO:
TITLE WARRANTEE CORPORATION
606 BALTIMORE AVENUE
SUITE 101
TOWSON, MD 21204

WE THE OWNERS AND RESIDERS OF HILLSTEAD FARMS/WILLOW HILL AND NEW CUT ROAD
HEREBY PETITION AGAINST SPECIAL ZONING EXCEPTION CASE # 96-115-SPHX.

The increase in traffic which will come about from this exception
will jeopardize the safety of our children.

This exception will set a precedence for other owners residing in
Baltimore County.

This exception will cause unnecessary wear and tear on the road
which is privately owned and maintained by the owners residing
in Hillstead Farms/ Willow Hill.

This exception will lower the market value of our homes and make
the homes less desirable for resale.

Mr. Wells' home is located at the end of the privately owned road
and his employees and/or clients must pass all existing homes before
entering 7403 New Cut Road, thereby creating a hazard.

Declarations of Covenants, Conditions Restrictions and Easements,
Liber 8327 Page 652, Article I states:

1. The lots and any building or structures now or hereinafter erected
on a lot shall be occupied and used for single family residence pur-
poses only, and no building shall be erected, altered, placed or
permitted to remain on any lot other than one detached single family
dwelling house, which said dwelling house shall have a minimum of two
thousand square feet of livable space.

All owners of Hillstead Farms/ Willow Hill are bound by these covenants.

PROTESTANTS
EXHIBIT NO. 4

Donna Goetz DONNA GOETZ 7405 New Cut Road

Stephen J. Goetz STEPHEN J. GOETZ 7405 NEW CUT ROAD

Charlene Quesenberry Charlene Quesenberry 7407 New Cut Road

Brian Quesenberry BRIAN QUESENBERRY 7407-NEW CUT Rd.

Brigitte Florian Michael Denikos 7325 New Cut Rd

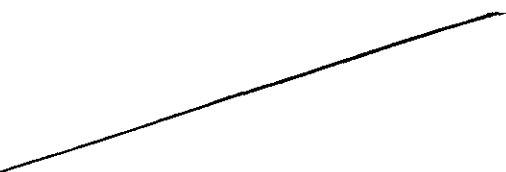
Brigitte Florian Michael Denikos 7325 New Cut Rd.

Theresa Bauernschmidt Theresa Bauernschmidt 7409 New Cut Rd

John W. Bauernschmidt JOHN W. BAUERNSCHMIDT JR 7409 NEW CUT RD

Roberto Costarin 7323 New Cut Rd

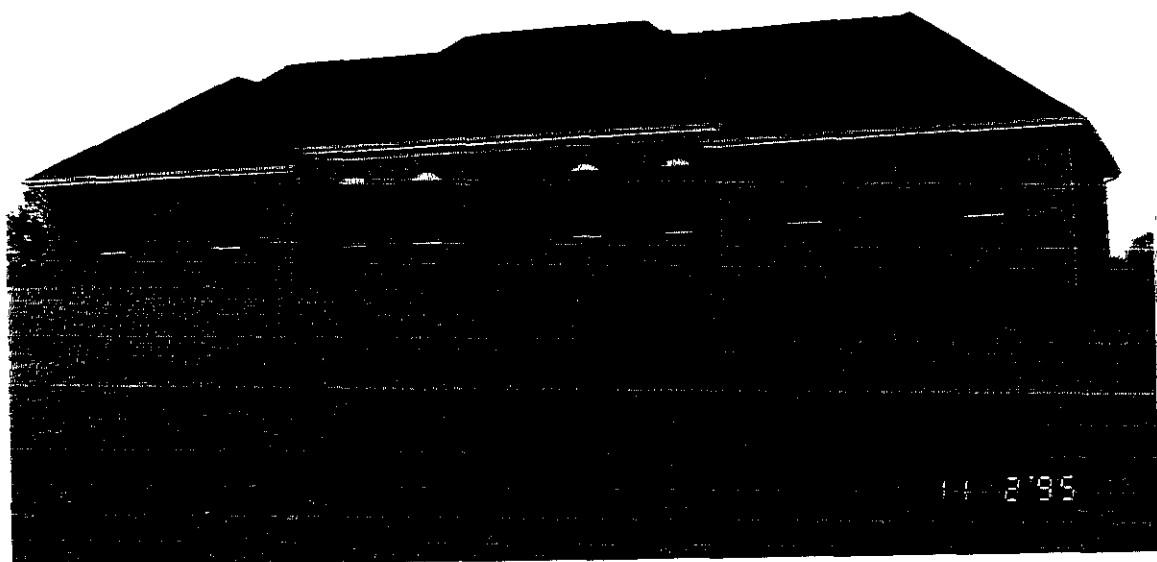
James F. Bonnaman	7387 New Cut Rd.
Bernad D. Lynch	7399 NEW CUT ROAD
Seagrass E. Lloyd	" " "
William J. [unclear]	7313 NEW CUT RD
Miriam C. Chalk	7313 New Cut Rd.
Carla [unclear]	7401 New Cut Rd.
L. P. [unclear]	7401 New Cut Rd.
Robert L. [unclear]	7315 New Cut Rd.
Carl J. [unclear]	7315 New Cut Rd.
Glennis [unclear]	7420 NEW CUT Rd
Laura Wilson	↓











NAME Wesemerry DATE 1/2
STREET _____
CITY _____ STATE 592-9065 ZIP 7925
PHONE _____ TWIN CHECK _____
PICK UP TIME 1 17:30 PICK UP DATE _____
AM PM

402599

FILM DEVELOPING				HAVE YOU ASKED FOR	
FRAMES	FILM	SIZE	ASA		
<input type="checkbox"/> 12	<input type="checkbox"/> KODACOLOR	<input type="checkbox"/> DISC	<input type="checkbox"/> 100	Doubles	<input type="checkbox"/>
<input type="checkbox"/> 15	<input type="checkbox"/> FUJICOLOR	<input type="checkbox"/> 110	<input checked="" type="checkbox"/> 200	Film	<input type="checkbox"/>
<input type="checkbox"/> 20	<input type="checkbox"/> 3M	<input type="checkbox"/> 126	<input type="checkbox"/> 400	Enlargements	<input type="checkbox"/>
<input checked="" type="checkbox"/> 24	<input type="checkbox"/> CPI	<input type="checkbox"/> 135	<input type="checkbox"/> 1000		
<input type="checkbox"/> 36			<input type="checkbox"/> 1600		

COUPON	NO. OF PRINTS MADE
--------	--------------------

SPECIAL INSTRUCTIONS	<input type="checkbox"/> REPRINTS
<u>1/25 #18</u>	<input type="checkbox"/> ENLARGEMENTS
<u>24/24</u>	<input type="checkbox"/> PRINT to PRINT
	<input type="checkbox"/> WALLETS
	<input type="checkbox"/> OTHER _____

Received by [Signature] Printer ☐ QC ☐ Delivered by ☐

CPI photo finish®
one hour photo

- 5 -

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein Room 106 of the County Office Building, 111 West Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #95-115-SPHX (Item 111)
7403 New Cut Road
S/S New Cut Road, 2000' W of Belair Road
11th Election District - 6th Councilmanic
Legal Owner: Kenneth J. Wells

HEARING: MONDAY, OCTOBER 30, 1995 at 9:00 a.m. in Room 118, Old Courthouse.
Special Hearing for a determination that a land planner-surveyor's office is within the scope of Section 1804.2.B.102.
Special Exception for a professional office as an accessory use in a residence located in a R.C.-5 zone.

CERTIFICATE OF PUBLICATION

TOWSON, MD. 10/13, 1995
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/5, 1995.

THE JEFFERSONIAN,
A. Henrichson
LEGAL AD. - TOWSON

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 111

Petitioner:

Location:

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Kenneth J. Wells
ADDRESS: 7403 New Cut Road
Kingsville, MD 21087
PHONE NUMBER: 817-4340

AJ:ggg

(Revised 04/09/93)

TO: POTENTIAL PUBLISHING COMPANY
October 5, 1995 Issue - Jeffersonian

Please forward billing to:

Kenneth J. Wells
7403 New Cut Road
Kingsville, MD 21087
817-4340

NOTICE OF HEARING

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Special Exception for a professional office as an accessory use in a residence located in a R.C.-5 zone.

LAWRENCE E. SCHWARTZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 25, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein Room 106 of the County Office Building, 111 West Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 96-115-SPHX (Item 111)
7403 New Cut Road
S/S New Cut Road, 2000' W of Belair Road
11th Election District - 6th Councilmanic
Legal Owner: Kenneth J. Wells

HEARING: MONDAY, OCTOBER 30, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Hearing for a determination that a land planner-surveyor's office is within the scope of Section 1804.2.B.102.
Special Exception for a professional office as an accessory use in a residence located in a R.C.-5 zone.

ARNOLD JABLON
Director

cc: Kenneth J. Wells
Anthony J. DiPaula, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 12, 1995

NOTICE OF REASSIGNMENT

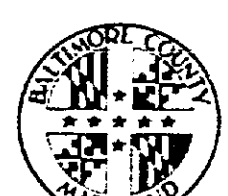
Rescheduled from 10/30/95
CASE NUMBER: 96-115-SPHX (Item 111)
7403 New Cut Road
S/S New Cut Road, 2000' W of Belair Road
11th Election District - 6th Councilmanic
Legal Owner: Kenneth J. Wells

Special Hearing for a determination that a land planner-surveyor's office is within the scope of Section 1804.2.B.102. Special Exception for a professional office as an accessory use in a residence located in a R.C.-5 zone.

HEARING: MONDAY, NOVEMBER 6, 1995 at 2:00 p.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson MD.

ARNOLD JABLON
DIRECTOR

cc: Kenneth J. Wells
Anthony J. DiPaula, Esq.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 23, 1995

Anthony J. DiPaula
Covahay & Boomer, P.A.
614 Bosley Avenue
Towson, Maryland 21204

RE: Item No.: 111
Case No.: 96-115-SPHX
Petitioner: K. J. Wells

Dear Mr. DiPaula:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 8, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Sept. 25, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief RWB/DAR
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for September 25, 1995
Item No. 111

The Development Plans Review Division has reviewed the subject zoning item. If this request is granted, buffering should be provided for Lot 3.

RWB:sw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: September 19, 1995

FROM: Pat Keller, Director, OP

SUBJECT: 7043 New Cut Road

INFORMATION:

Item Number: 111

Petitioner: Kenneth J. Wells

Property Size:

Zoning: RC-2

Requested Action: Special Exception

Hearing Date: 11

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided, staff acknowledges that Mr. Wells is a professional and is licensed by the State of Maryland. In addition, there is nothing unique about the subject site to indicate that the special exception use would be inappropriate at this particular location. Therefore, this office recommends that the applicant's request be granted subject to a condition being placed in the order prohibiting the erection of any signs calling attention to the business.

Prepared by: Jeffrey M. Long

Division Chief: Caryl L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 9/25/95

DATE: 9/25/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s:
102
104
107
108
109
110
111
112
113
114
115
116

LS:SD

LETTY2/DEPRM/TXTS8P

Baltimore County Government
Fire Department



790 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-3500

DATE: 9/25/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: KENNETH J. WELLS

LOCATION: S/S NEW CUT RD., 2000' W OF BELAIR RD., 7403 NEW CUT RD.

Item No. 111 Zoning Agenda: SPECIAL HEARING/SPECIAL EXCEPTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

SEP 21 1995

ZADM

REVIEWER: LT. ROBERT F. SAUERWALD
Fire Marshal Office, PHONE 887-4661, MS-1108P

cc: File
Baltimore County Government



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

9-15-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 111 (JSS/JR)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3353
Fax (410) 887-5708

December 20, 1995

Mr. Kenneth J. Wells
7403 New Cut Road
Kingsville, Maryland 21087-1132

RE: 96-115-SPHX
7403 New Cut Road
11th Election District

Dear Mr. Wells:

I am in receipt of your letter, dated December 15, 1995, in which you question the requirement of this office for you to file concurrent petitions for a special hearing and a special exception.

I have discussed the issue you raise with John Sullivan, and he has explained to me his rationale. He correctly followed procedure. I will not agree to return the filing fee, or any portion thereof.

The determination whether a surveyor fits the definition of professional is as important as the decision whether a special exception should be granted. One follows the other. No special exception can be granted unless the definition of "professional" is satisfied.

There is no conflict. We do accept plans prepared and sealed by a surveyor. We also accept expert testimony by realtors. While Deputy Zoning Commissioner Timothy Kotroco has determined that a surveyor is a "professional", and thereafter granted your request for special exception, realtors have been determined not to fit the definition. Realtors may very well be professional in every other way, but they are not for the purpose of our zoning regulations. While sealed surveyors plans are accepted, this in and of itself is not conclusive that surveyors satisfy the zoning definition of "professional".

It obviously does now, but Mr. Sullivan advised you properly.

Sincerely,
Arnold Jablon
ARNOLD JABLON
Director

AJ:ljb

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
STEPHEN J. GUTZ	7405 NEW CUT RD 21017
Donna Gutz	7405 NEW CUT RD 21017
FRANK C. BOOZER	21174 RD 21234
Bernard Grossman	7405 NEW CUT RD 21017
James Grossman	7405 NEW CUT RD 21017
John W. Grossman	7405 NEW CUT RD 21017
Nancy Grossman	7405 NEW CUT RD 21017
BILL BOUTON	7405 NEW CUT RD 21017
MARY ANN BOUTON	7405 NEW CUT RD 21017

PROTESTOR(S) SIGN-IN SHEET

NAME	ADDRESS
ARNOLD JABLON	111 WEST CHESAPEAKE AVE - 21204
KENNETH WELLS	7405 NEW CUT RD.

KENNETH J. WELLS, INC.
Land Planners and Surveyors

Telephone: (410) 592-8800
Teletype: (410) 817-4329

7403 New Cut Road
Kingsville, Md. 21087 1132

December 15, 1995

Mr. Arnold Jablon
Baltimore County
Zoning Administration and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

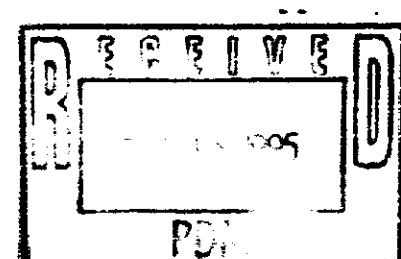
Re: 96-115-SPHX
7403 New Cut Road

Dear Mr. Jablon:

I was informed by Mr. John Sullivan during my initial meeting for the filing of a special exception to operate my surveying practice from within my residence, that I would also need a special hearing to determine if a land surveyor would fall under the professional status as defined in Section 1A04.2.B.10a of the Baltimore County Zoning Regulations (BCZR). I debated the point, but was told that I may jeopardize the special exception if I did not include the request for a special hearing as well. I did so under protest.

Deputy Commissioner Kotroco also heard my protest at the onset of the hearing. Mr. Kotroco did grant the relief requested in the Petition for Special Exception.

Again, I would like to take issue with what appears to me a conflict in terms within the BCZR relating to land surveyors. I am fully aware that land surveyors are not specifically mentioned in the aforementioned section in the BCZR, but under Rule 2.B.5 in Appendix "E" in the BCZR it does, however, state that the zoning plans required for hearings must be prepared by a surveyor. A surveyor who practices within the State of Maryland is required to be licensed which is regulated by the State Board of Registration for Professional Land Surveyors. If the County recognizes surveyors as professionals for the preparation of zoning plans, would it not be reasonable to surmise that where the criterion states "professional" throughout the BCZR that surveyors would fall under that category without having a special hearing to determine that status.



Page Two

Based on the above, I would appreciate if the fee of \$ 250.00 submitted for the Special Hearing be returned.

Thank you in advance for your attention in this matter. Should you have any questions or comments, please feel free to call me.

Respectfully yours,

Kenneth J. Wells
Kenneth J. Wells

COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW
64 BOULEVARD
TOWSON, MARYLAND 21204
AREA CODE 410
828-9441
FAX 410-823-7530

ANNEX OFFICE
SUITE 101
606 BALTIMORE AVE
TOWSON, MD 21204

September 29, 1995

HAND DELIVERY

Arnold Jablon, Director
Baltimore County Department of
Permits and Development Management
Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: CASE NO.: 96-115-SPHX (ITEM 111)
7403 NEW CUT ROAD
HEARING DATE: OCTOBER 30, 1995 AT 9:00 A.M.

Dear Mr. Jablon:

Please consider this a request for postponement of the above referenced case, the notice for which I just received. I have a specially set trial in the District Court for Baltimore County that morning in the case of Surguy v. Godfrey, Case No. 25676-94.

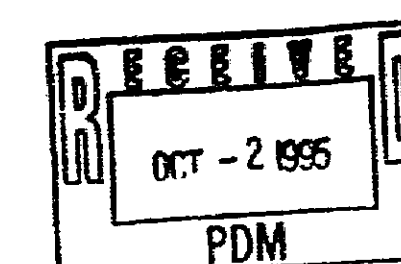
Thank you.

Very truly yours,

Anthony J. DiPaula
Anthony J. DiPaula

AJD/ds
9:05.124

cc: Kenneth J. Wells



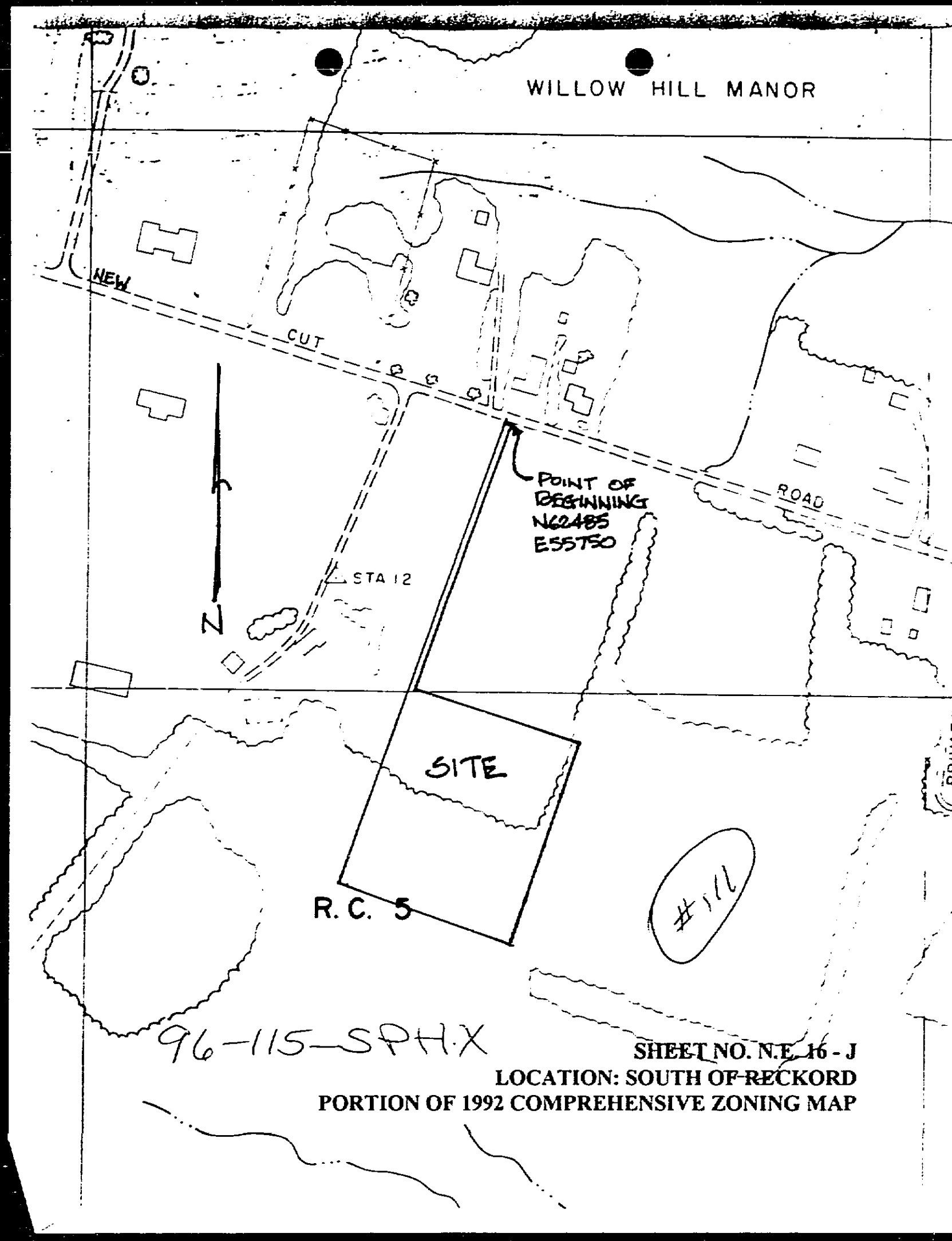


EXHIBIT 3

cc: T. DiPaula (Covahey and Boozer)
File 7403kca.let

9/29/95

Nancy Hastings
Nancy Hastings
President

TRANSFER TAX NOT REQUIRED
Baltimore County, Maryland
For Barnes, Ltd.
Date 11-6-88 Doc. 11-95 Revised

APPROPRIATE TRANSFER TAX
NOT APPLICABLE
SIGNATURE [Signature] DATE 11-6-88

REQUIRED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County
11-6-88

DORRA GRETZ DONNA GRETZ 7405 NEW CUT ROAD
Stephen Gretz STEPHEN J. GRETZ 7405 NEW CUT ROAD
Charles Fuschinsky CHARLNE GROSENBERG 7407 NEW CUT ROAD
Brian K. Grossmeyer BRIAN ROSSBACH 7407 - NEW CUT RD.
Doragitta Alvarez MILEN DORTCH 7325 NEW CUT
Brigitte Fioran MICHAEL DEAKOS 7325 NEW CUT E
Susan Baumgardt THERESA BAUMSCHMIDT AT 74
John W. Baumschmidt JOHN BAUMSCHMIDT 74
No. 1. no Colours 7323 NEW CUT RD

**PROTESTANT'S
EXHIBIT NO. 4**

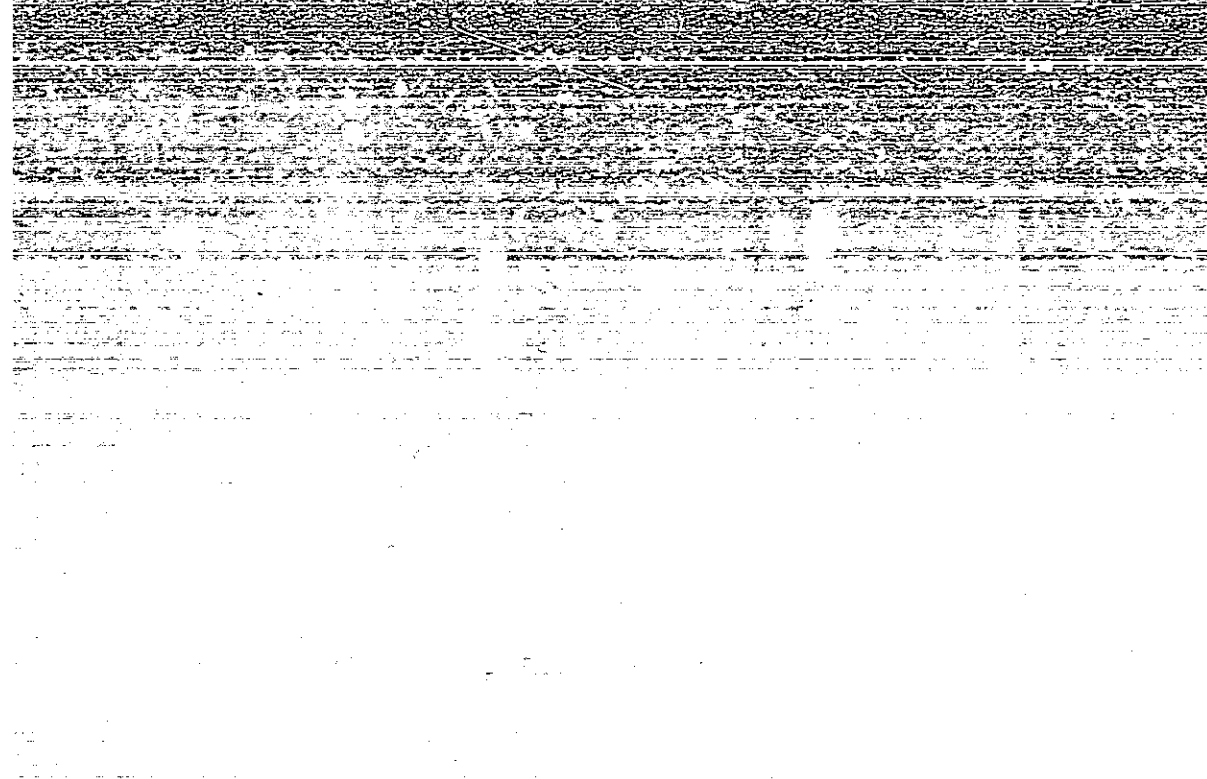
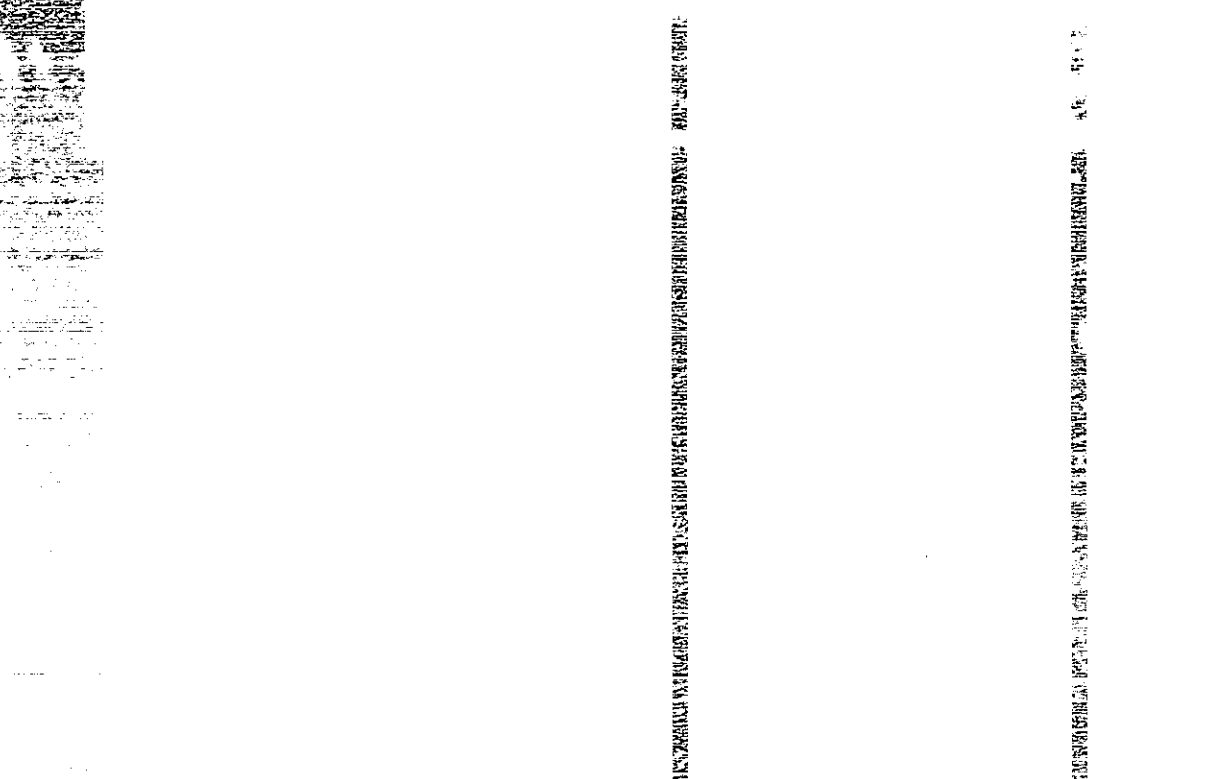
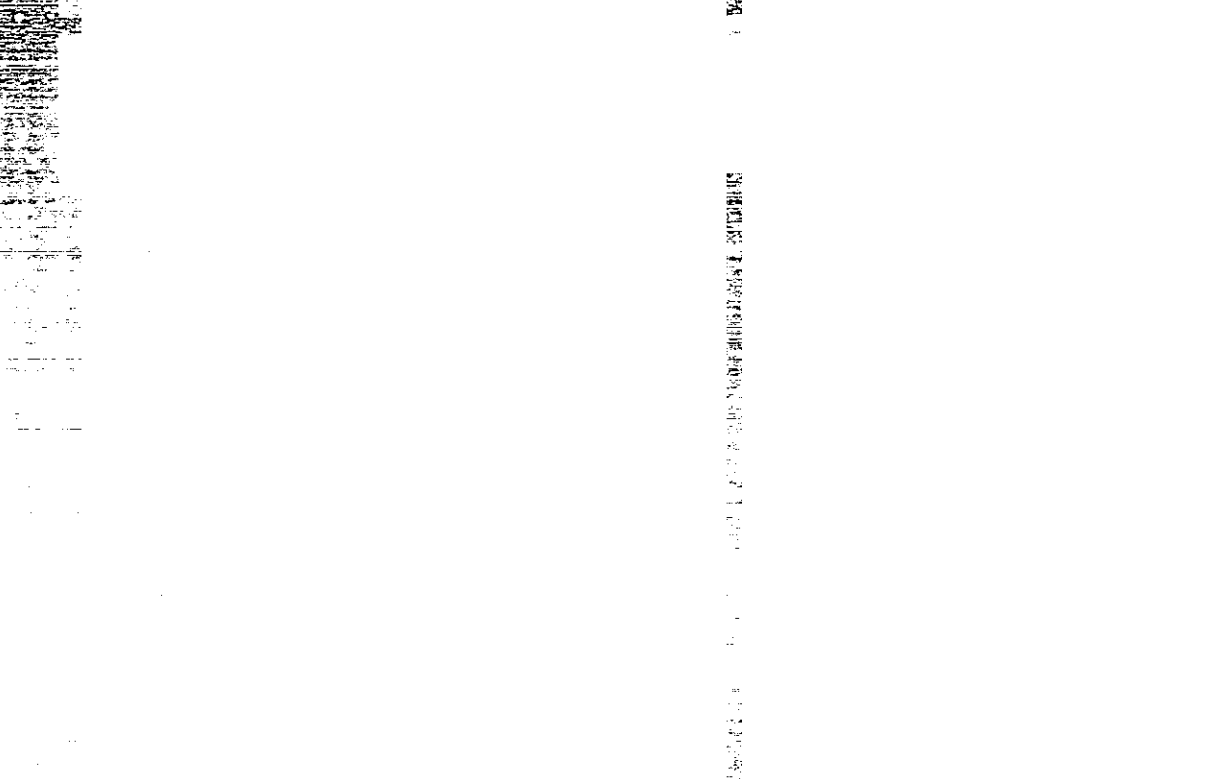
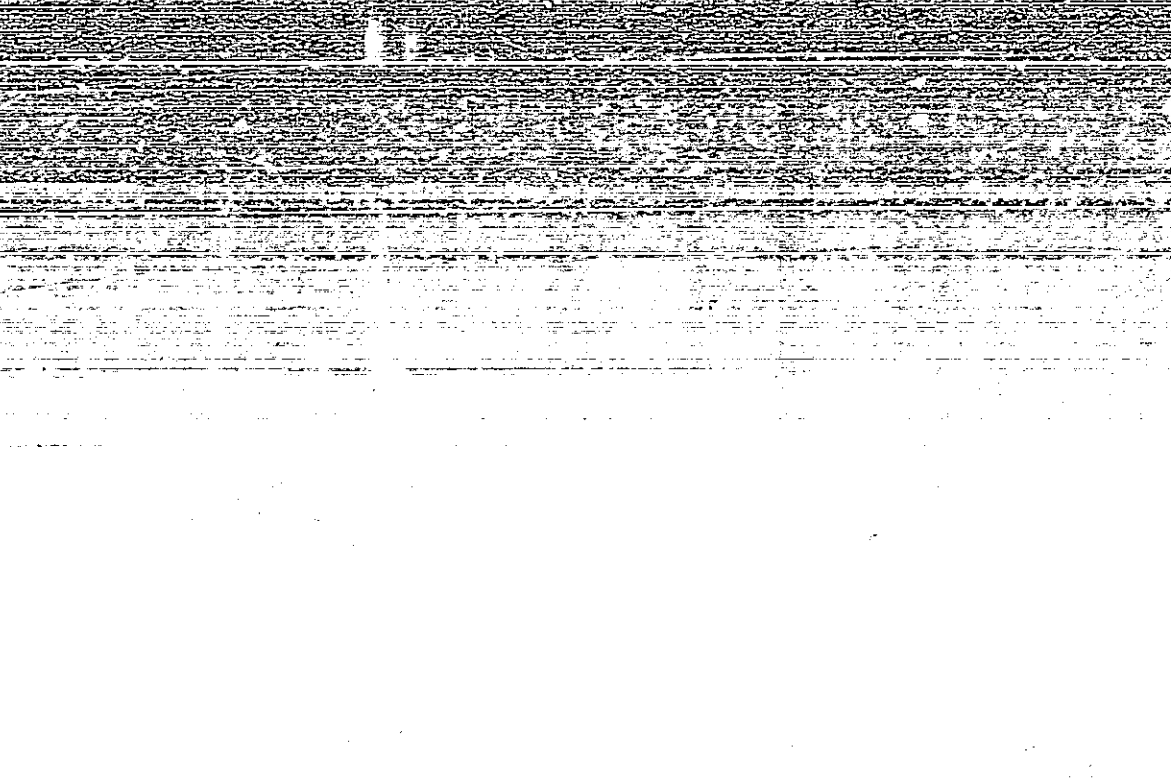
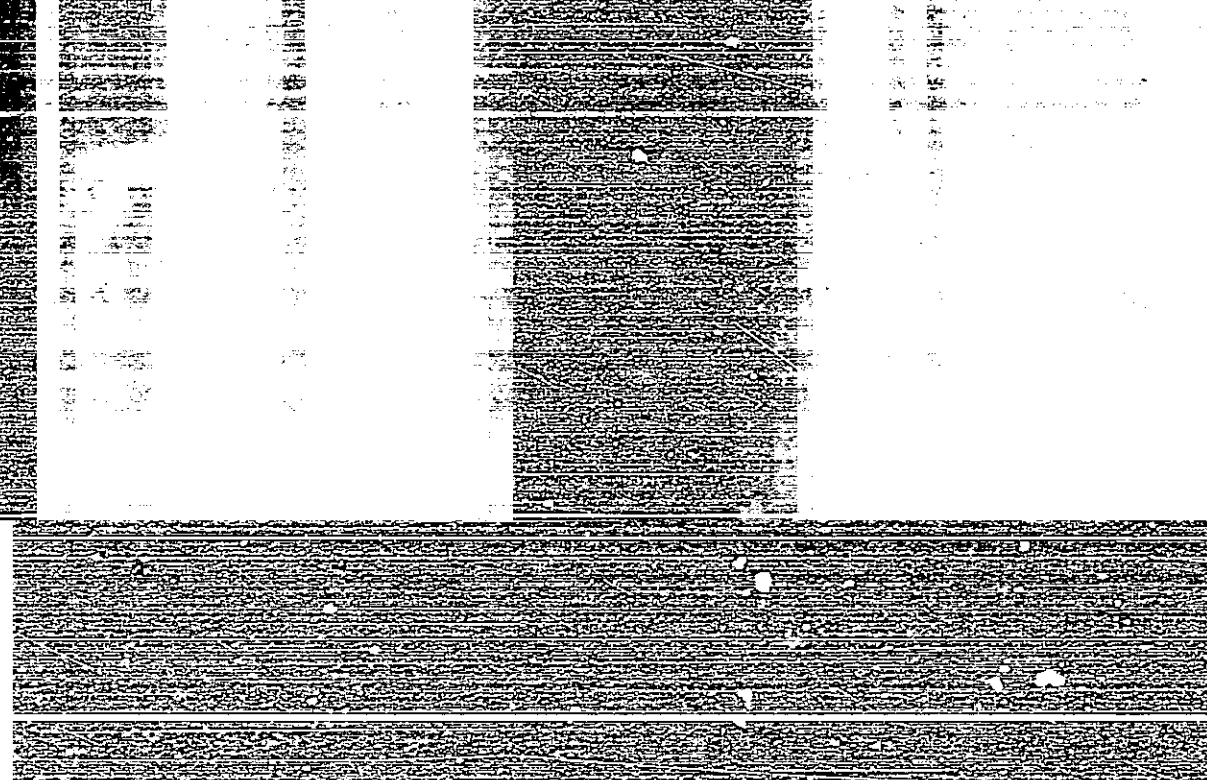
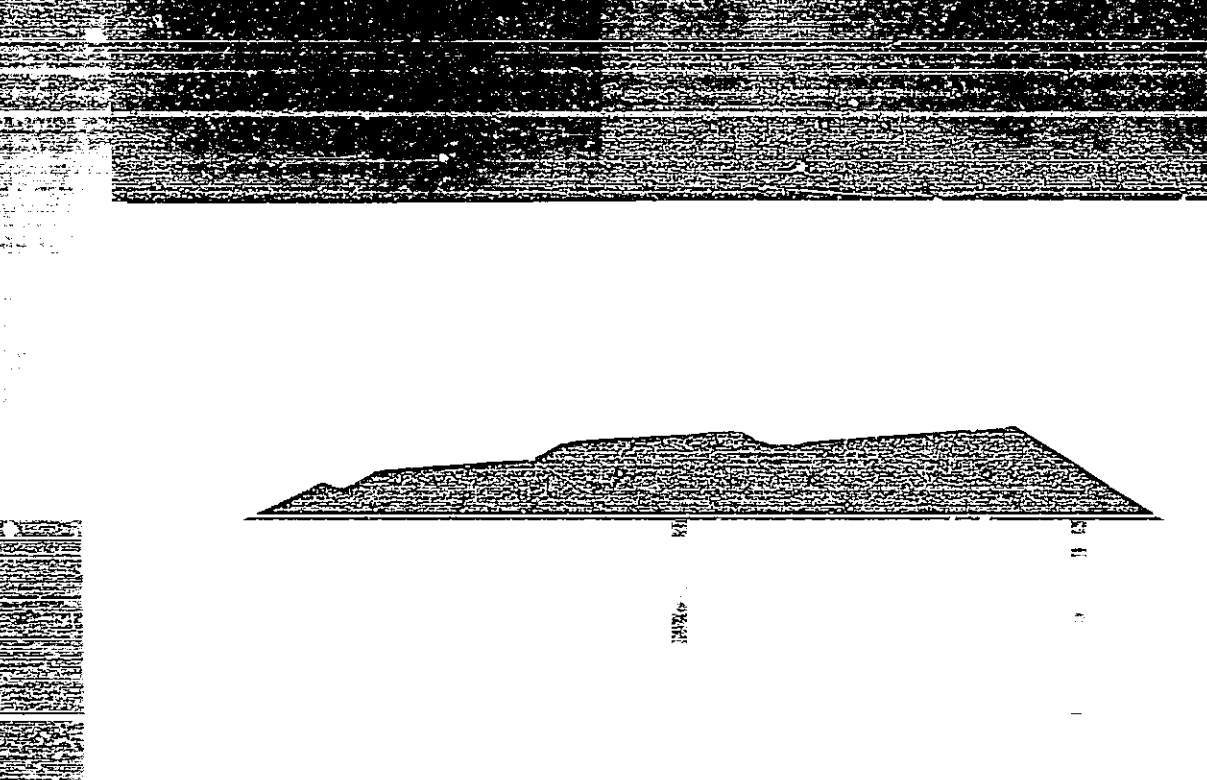
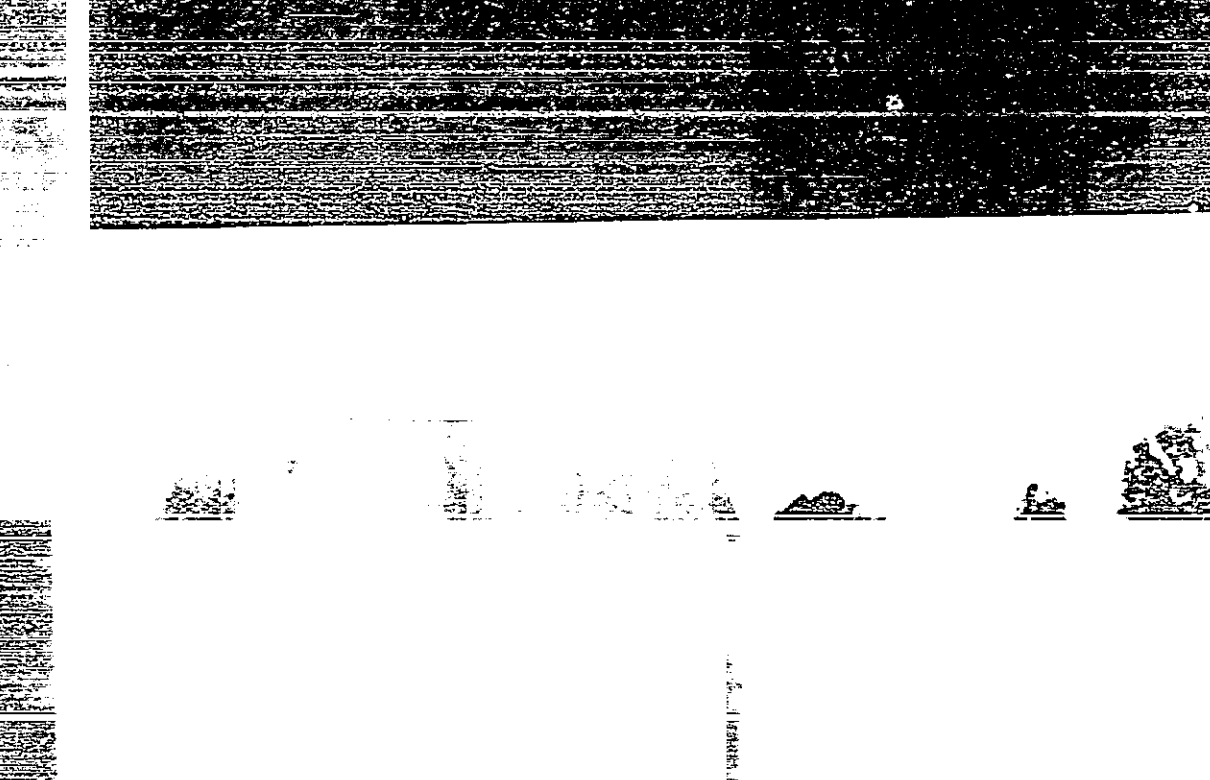
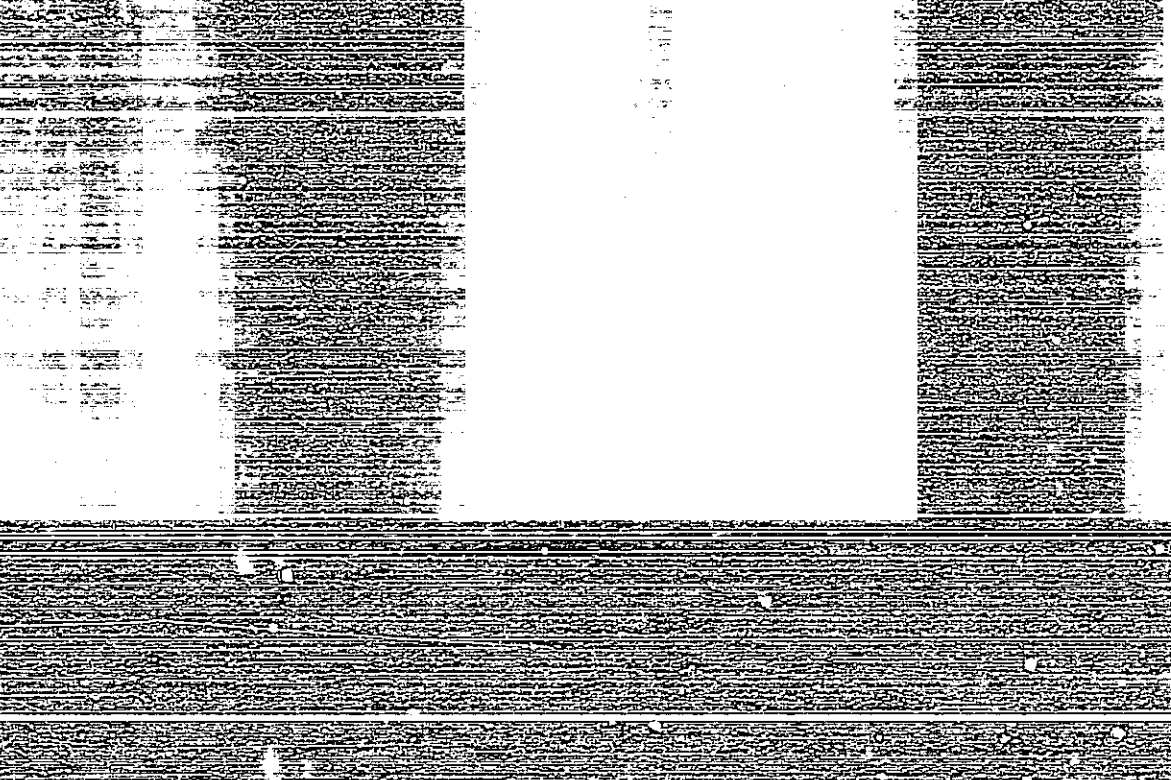
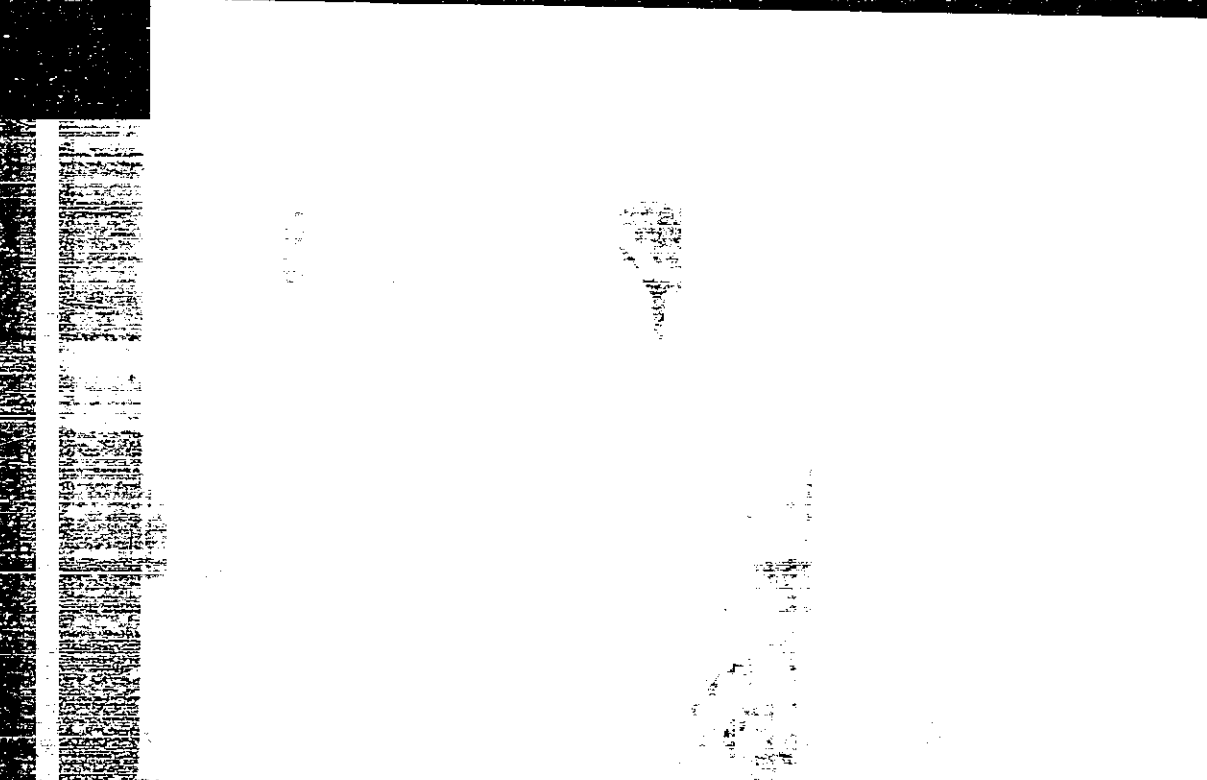
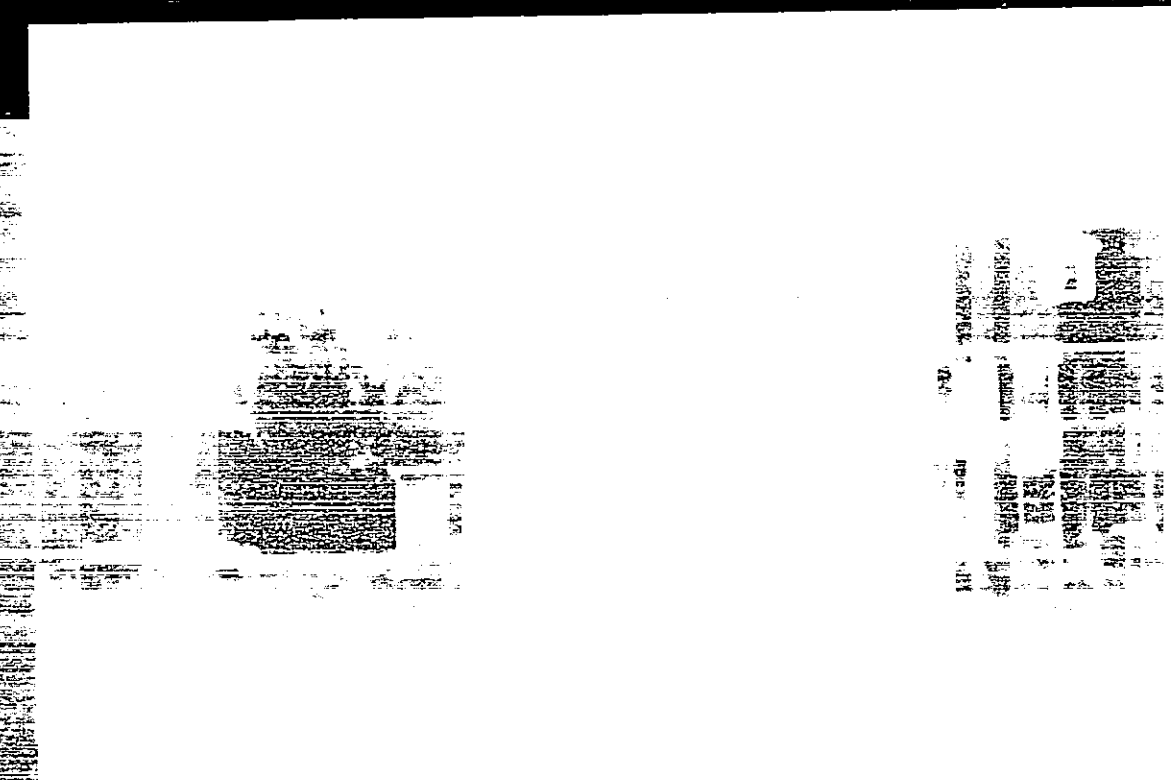
CPI photo

PROOFPRINTS
NO. 3

REPRINT & ENLARGEMENT ORDER FORM

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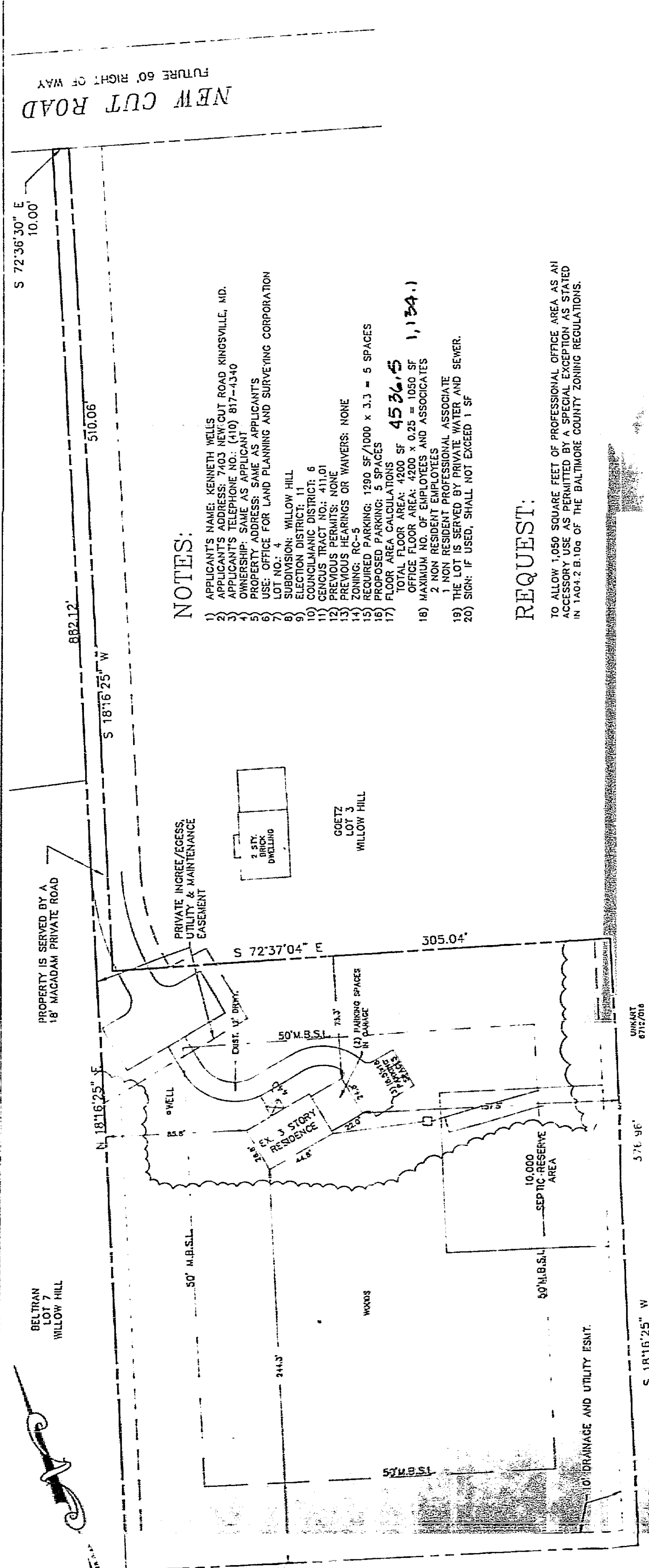
NAME _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____



KENNETH J. WELLS, INC.
7902 BELAIR ROAD
BALTIMORE, MARYLAND 21236
(410) 665-3242



TITLE: PLAT TO ACCOMPANY A REQUEST FOR A SPECIAL EXCEPTION
SHEET 1 OF 1
PROJECT NO. 8956SH

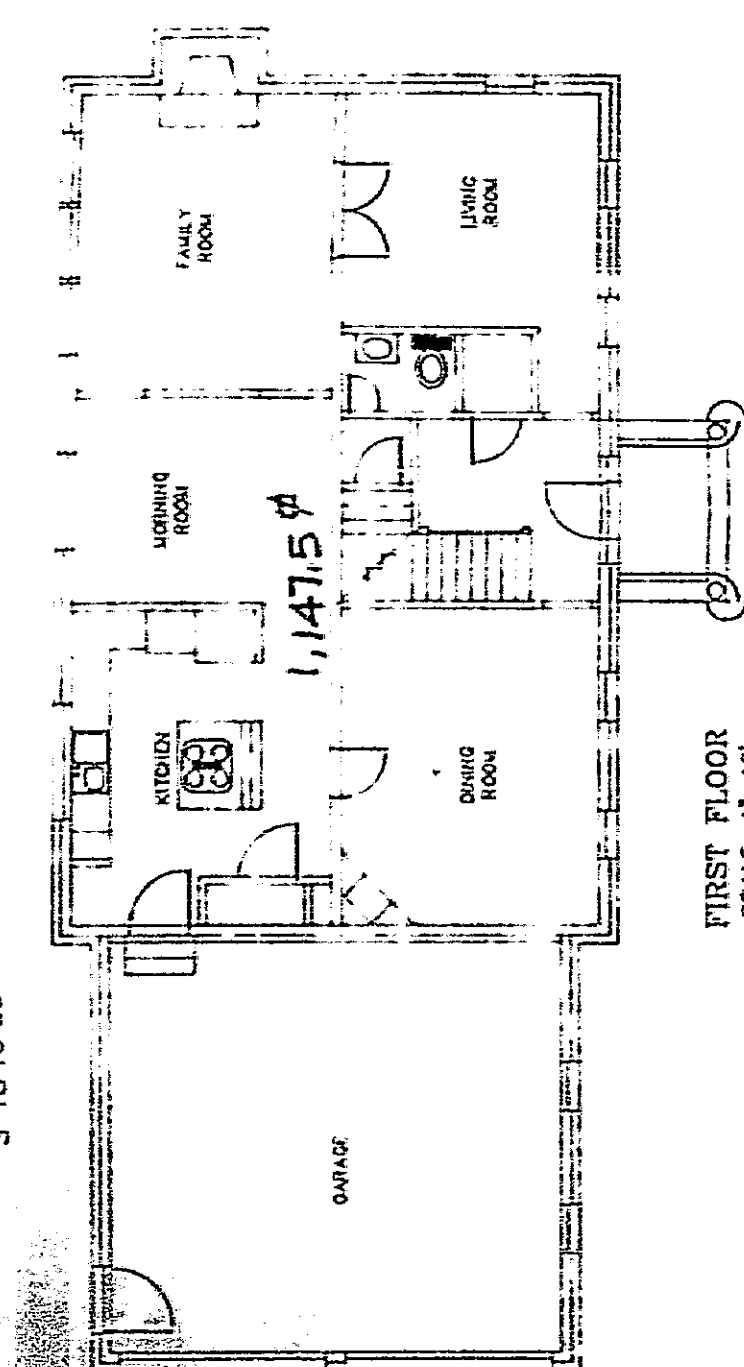


NOTES:

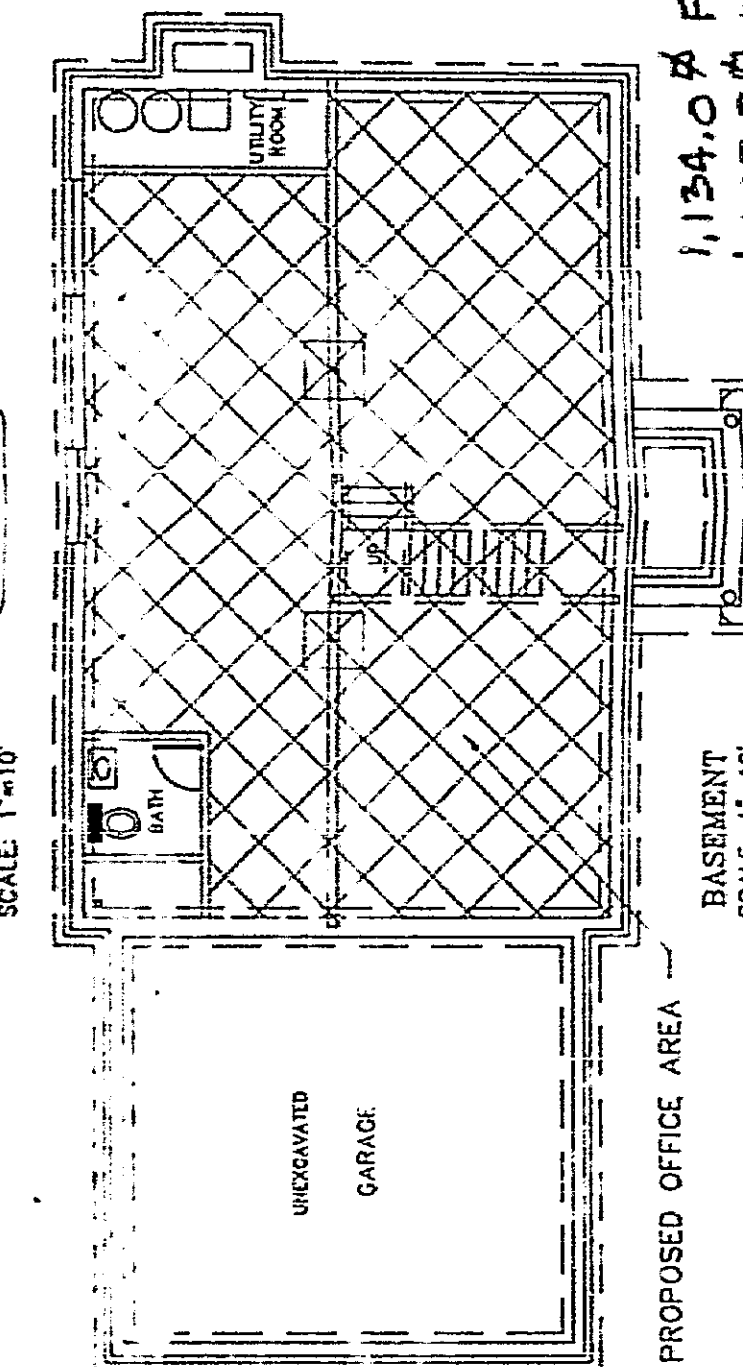
- 1) APPLICANT'S NAME: KENNETH WELLS
- 2) APPLICANT'S ADDRESS: 7902 NEW CUT ROAD KINGSVILLE, MD.
- 3) APPLICANT'S TELEPHONE NO.: (410) 817-4340
- 4) OWNERSHIP: SAME AS APPLICANT
- 5) PROPERTY ADDRESS: SAME AS APPLICANT
- 6) USE: OFFICE FOR LAND PLANNING AND SURVEYING CORPORATION
- 7) LOT NO.: 4
- 8) SUBDIVISION: WILLOW HILL
- 9) ELECTION DISTRICT: 11
- 10) COUNCILMANIC DISTRICT: 6
- 11) CENSUS TRACT NO.: 41101
- 12) PREVIOUS PERMITS: NONE
- 13) PREVIOUS HEARINGS OR WAIVERS: NONE
- 14) ZONING: RC-3
- 15) PROPOSED PARKING: 1200 SF/1000 X 3.3 = 5 SPACES
- 16) FLOOR AREA CALCULATIONS: 4534.5 SF
- 17) OFFICE FLOOR AREA: 4200 X 0.25 = 1050 SF
- 18) MAXIMUM NO. OF EMPLOYEES AND ASSOCIATES: 1
- 19) NON RESIDENT PROFESSIONAL ASSOCIATE
- 20) THE LOT IS SERVED BY PRIVATE WATER AND SEWER.
- 21) SIGN: IF USED, SHALL NOT EXCEED 1 SF

REQUEST:

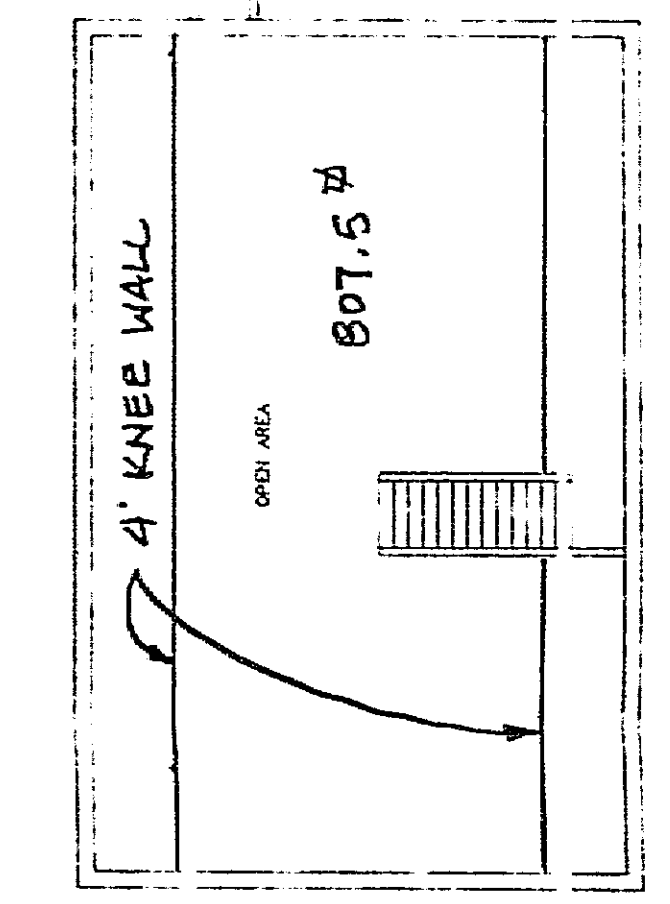
TO ALLOW 1,050 SQUARE FEET OF PROFESSIONAL OFFICE AREA AS AN ACCESSORY USE AS PERMITTED BY A SPECIAL EXCEPTION AS STATED IN 1A04.2 B.10a OF THE BALTIMORE COUNTY ZONING REGULATIONS.



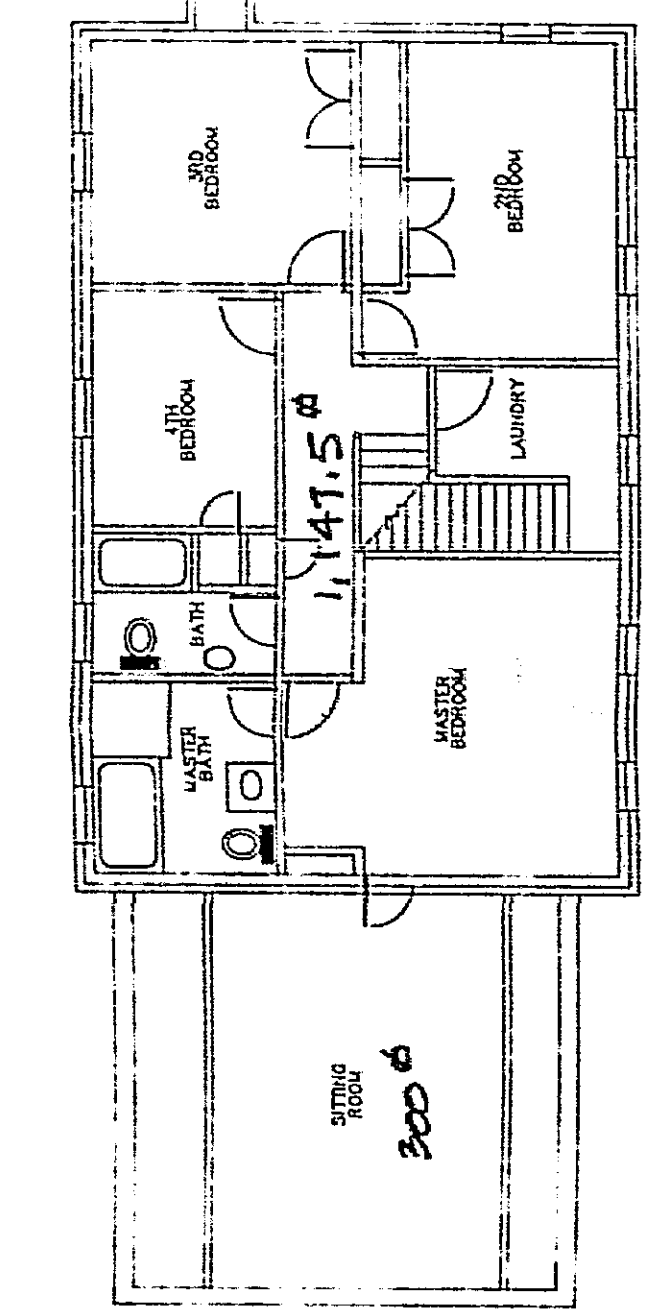
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BASEMENT
SCALE: 1"=10'

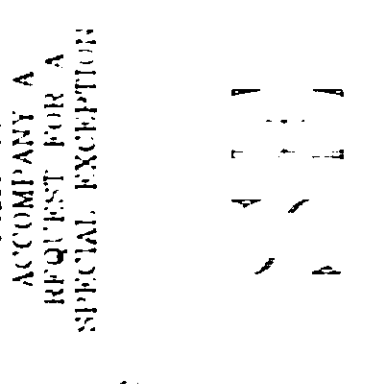


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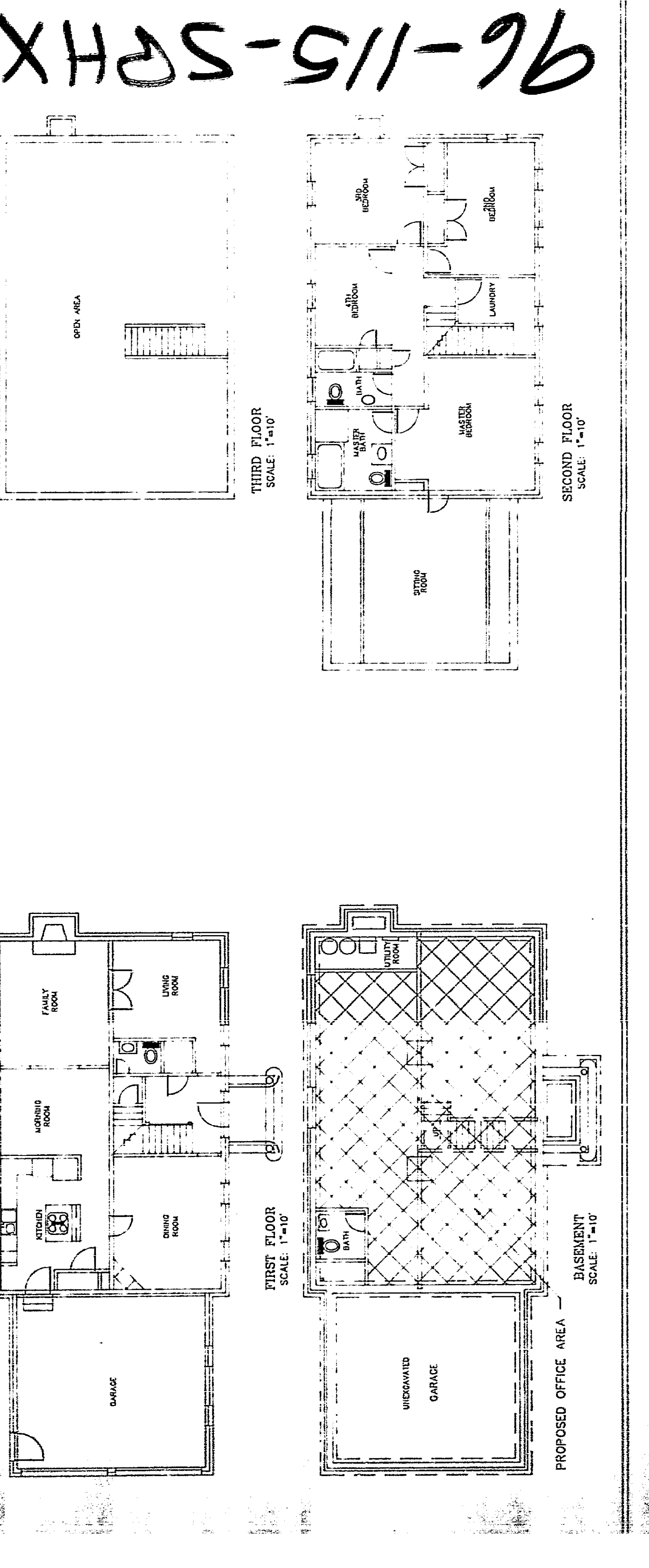


SECOND FLOOR
SCALE: 1"=10'

KENNETH J. WELLS, INC.
7902 BELAIR ROAD
BALTIMORE, MARYLAND 21236
(410) 665-3242



TITLE: PLAT TO ACCOMPANY A REQUEST FOR A SPECIAL EXCEPTION
SHEET 1 OF 1
PROJECT NO. 8956SH

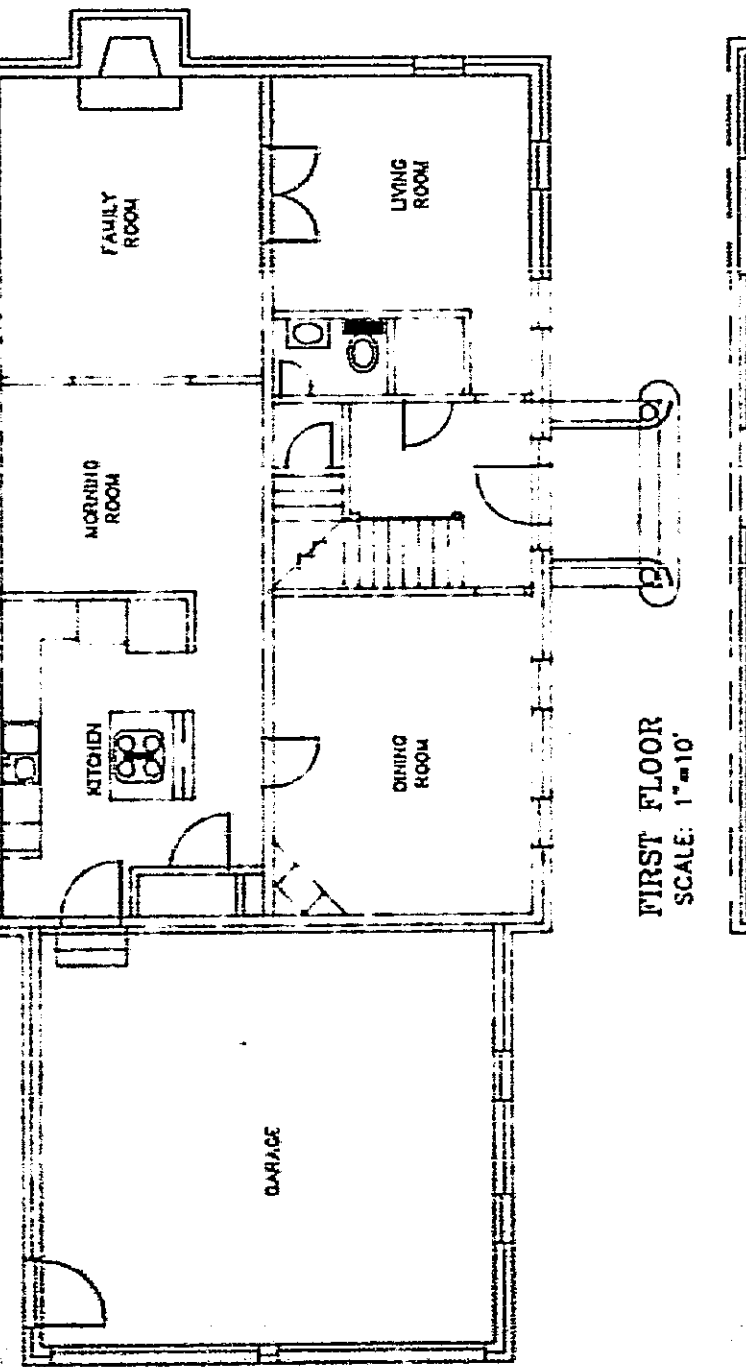


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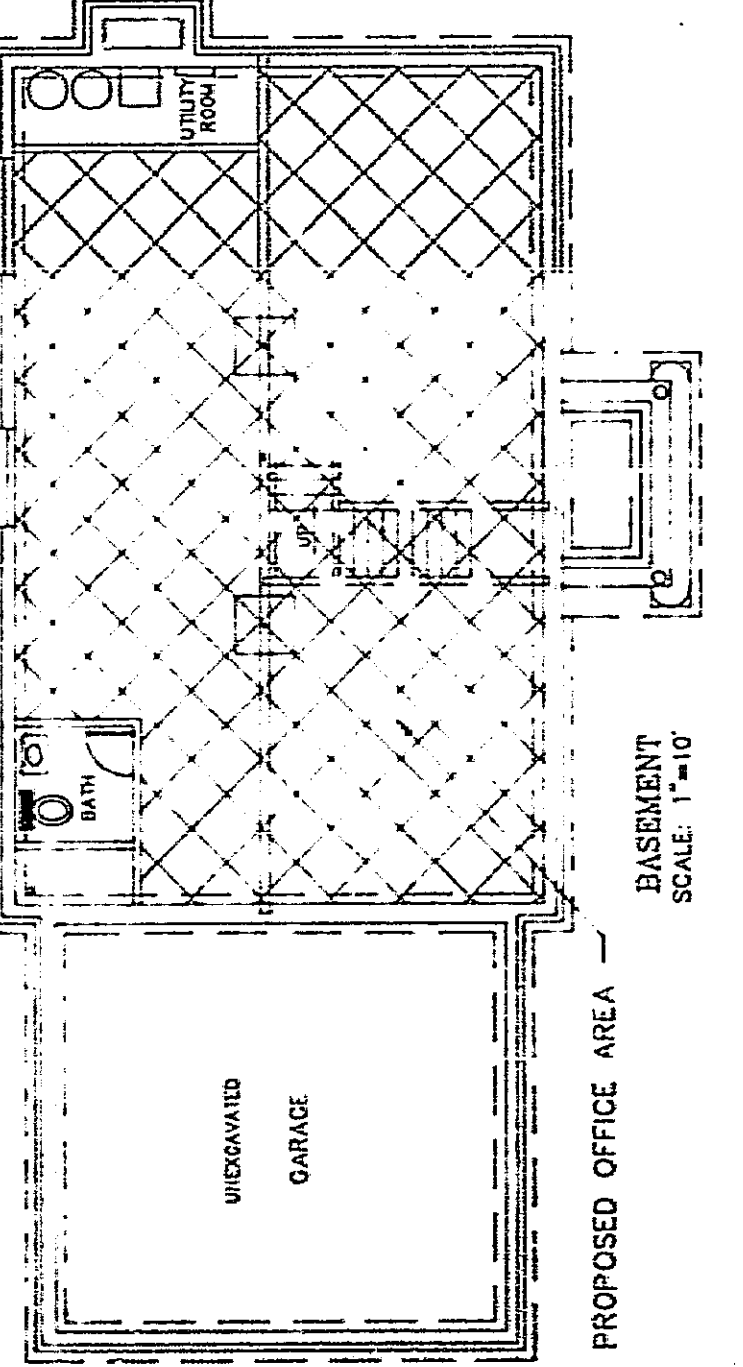
- 1) APPLICANT'S NAME: KENNETH WELLS
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- 5) PROPERTY ADDRESS: SAME AS APPLICANT
- 6) USE: OFFICE FOR LAND PLANNING AND SURVEYING CORPORATION
- 7) LOT NO.: 4
- 8) SUBDIVISION: WILLOW HILL
- 9) ELECTION DISTRICT: 11
- 10) COUNCILMANIC DISTRICT: 6
- 11) CENSUS TRACT NO.: 41101
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- 13) PREVIOUS HEARINGS OR WAIVERS: NONE
- 14) ZONING: RC-3
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- 19) NON RESIDENT PROFESSIONAL ASSOCIATE
- 20) THE LOT IS SERVED BY PRIVATE WATER AND SEWER.
- 21) SIGN: IF USED, SHALL NOT EXCEED 1 SF

REQUEST:

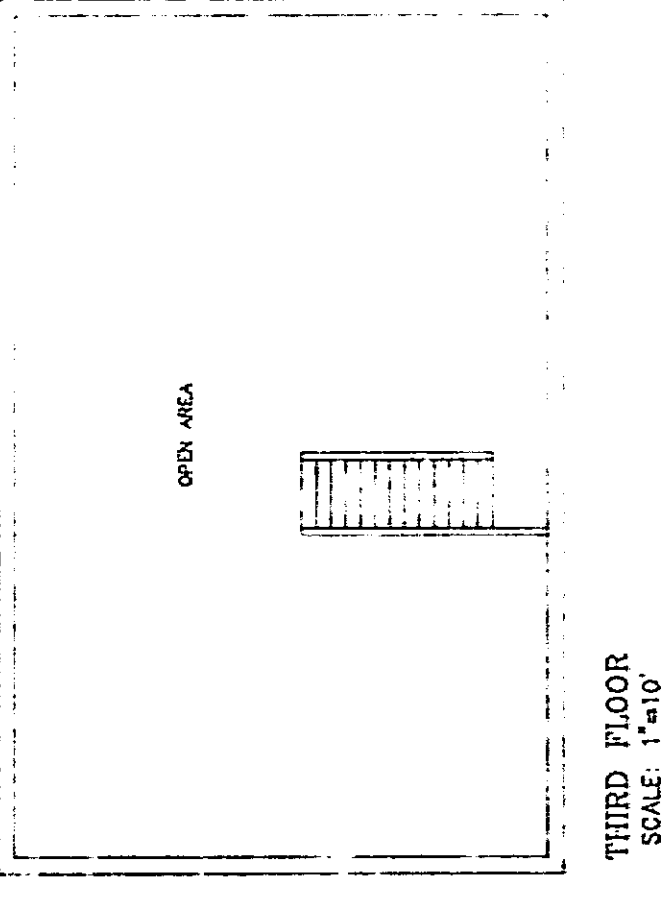
TO ALLOW 1,050 SQUARE FEET OF PROFESSIONAL OFFICE AREA AS AN ACCESSORY USE AS PERMITTED BY A SPECIAL EXCEPTION AS STATED IN 1A04.2 B.10a OF THE BALTIMORE COUNTY ZONING REGULATIONS.



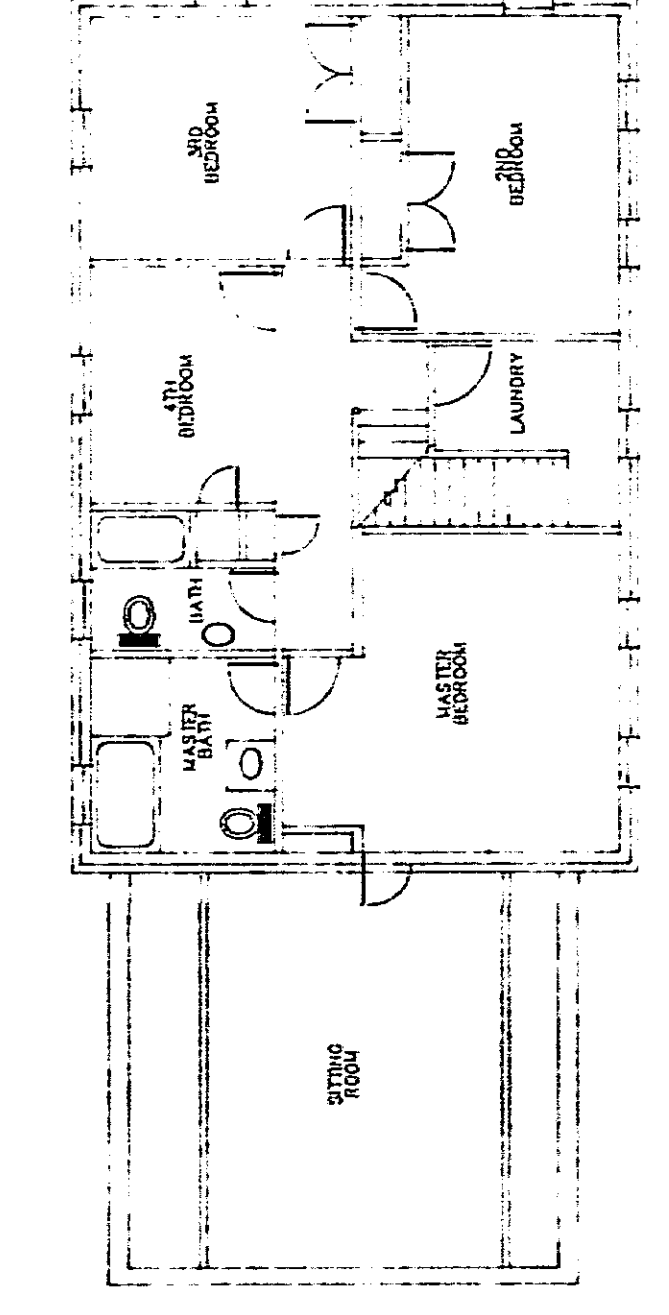
FIRST FLOOR
SCALE: 1"=10'



BASEMENT
SCALE: 1"=10'

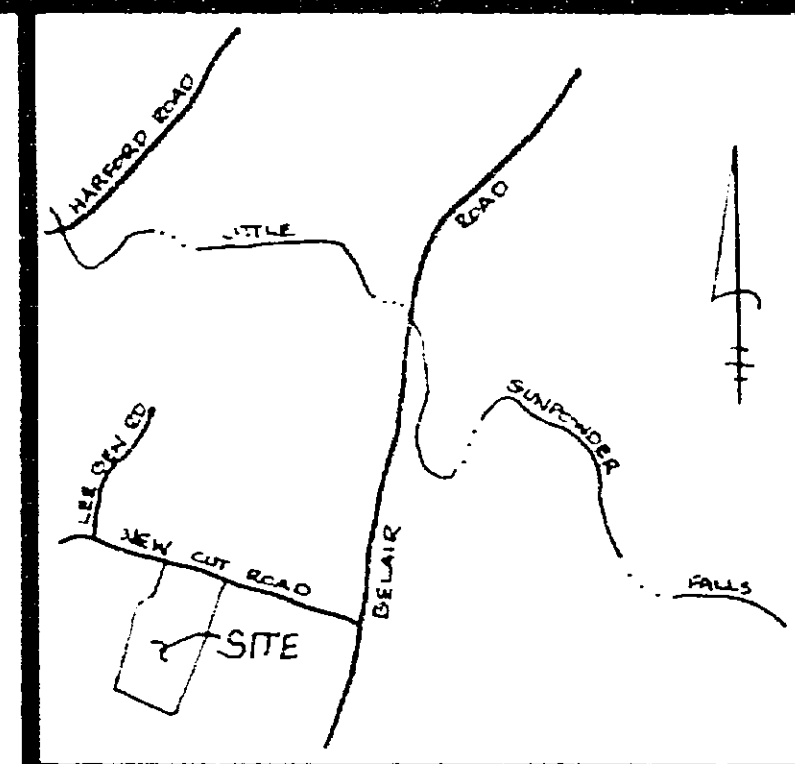


THIRD FLOOR
SCALE: 1"=10'

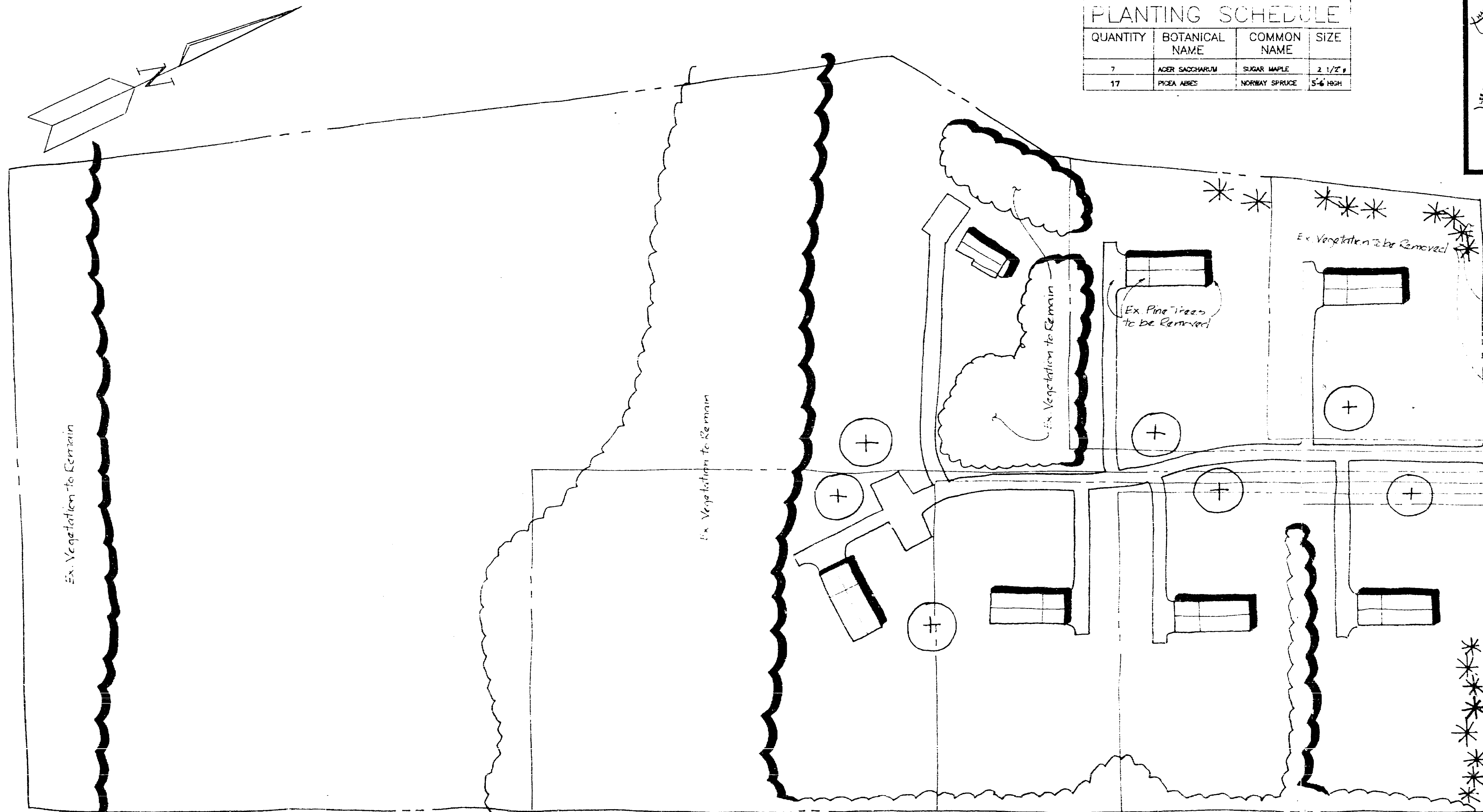


SECOND FLOOR
SCALE: 1"=10'

PLANTING SCHEDULE			
QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE
7	ACER SACCHARIN	SUGAR MAPLE	2 1/2"
17	PICEA ABIES	NORWAY SPRUCE	5'-6' HIGH

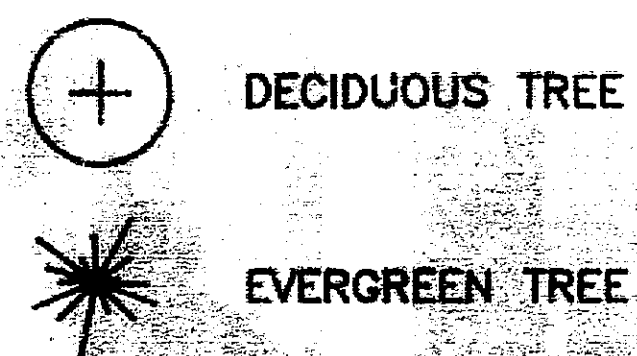


VICINITY MAP
SCALE 1" = 500'



REQUIRED PLANTING

1 TREE PER LOT
7 LOTS PROPOSED = 7 TREES
50% DECIDUOUS TREES
50% EVERGREEN TREES



I CERTIFY THAT I HAVE REVIEWED THIS FINAL LANDSCAPE PLAN;
THAT I AM AWARE OF THE LANDSCAPE REGULATIONS PRESENTED
IN THE BALTIMORE COUNTY LANDSCAPE MANUAL, LATEST EDITION;
AND I AGREE TO COMPLY WITH THESE REGULATIONS AND ALL
APPLICABLE POLICY, GUIDELINES, AND ORDINANCES. I AGREE TO
IMPLEMENT THIS PLAN WITHIN ONE YEAR OF APPROVAL BY
BALTIMORE COUNTY.

Kenneth J. Wells
SIGNATURE OF APPLICANT

2/2/90
DATE

KENNETH J. WELLS
P.O. BOX 28436
BALTIMORE, MARYLAND 21234

FINAL LANDSCAPE PLAN ~ of the ~ WILLOW HILL SUBDIVISION

SCALE: 1" = 50' DATE: 2/2/90

KJW KENNETH J. WELLS, INC.
P.O. BOX 28436
BALTIMORE, MARYLAND
(301) 665 - 3242
LAND PLANNERS

NEW CUT ROAD

LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7